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No 30

T H E
R E D U C I N G
 O F
Scotland by Arms,
 And Annexing it to
E N G L A N D
 A S A
P R O V I N C E,
 C O N S I D E R E D.

With an Historical Account of the Grievances the *Scots* complain they have suffer'd in their *Religion, Liberty, and Trade*, since the Union of the Crowns; which they assign as the Cause of their Delay to come into the same Succession with *England*, untill they have a previous Security against such Grievances for time to time.

Gravite reos accusat Aristoteles, qui cum inter se neminem velint imverare nisi qui jus habeat, in exteros quid jus, quid injustum sit nihil curant.

Grotius de Jure Belli & Pacis.

LONDON, Printed: and Sold by *Benj. Bragg* in *Ave-Mary-Lane*:
 And Re-printed at *Edinburgh*, 1705.

THE
REDUCING
OF

Scotland by Arms.

And Annexing it to

ENGLAND

AS A

PROVINCE

CONSIDERED.

An Historical Account of the Grievances the Scots complain
they have suffer'd in their Religion, Liberty, and Justice, since
the Union of the Crowns; which they assign as the Cause
of their Delay to come into the same Union with
us, until they have a previous Security against such
Advances for time to time.

PRICE

Printed by James Ball & Co. in London.

And the printed at the University of Glasgow.

The Reducing of SCOTLAND by Arms, and annexing it as a Province to England, Considered.

INTRODUCTION.

THE Reducing of *Scotland* by Arms, and annexing it to *England*, has been so much of late the Subject of Publick Discourse, that no Man can be ignorant of it, who is not an absolute Stranger to Conversation.

Nor has it been confin'd to Discourse only; but it is become a Theme for Books and Pamphlets, wherein the Authors have discover'd a great deal of Forwardness and Zeal.

It may reasonably be thought, that, without some great and visible Cause, nothing of this Nature could happen betwixt two Nations, that have liv'd a hundred Years under one Sovereign, that are of the same Religion, that have the same Common Interest, and betwixt whom there are so many indispensable Obligations to an inviolable Friendship and good Understanding.

It is therefore proper, in the first place, to take a View of what the *Scots* have done to give Occasion for such Discourses and designs on the part of any People in *England*. In order to this, it is needless to look very far back; for, every one knows, that the Demurring of the *Scots* to come into the same Succession with *England*, their Act of Security, with a Clause to arm and discipline their Subjects, &c. and their late Proceedings against *Cap. Green* and his Crew, are assign'd as the Causes of those Discourses and Designs.

The first of these is one of the highest and nicest Points of State that can happen to be in Controversy betwixt two Kingdoms. The Interest of both Nations, and perhaps of all *Europe*, is concern'd in the Matter; which is sufficient to convince any Man, that the Populace are not fit Judges of it; for, being one of the weightiest Affairs of State, it ought to be left to the Determination of the Estates of both Kingdoms, especially since the Parliaments of both seem to have put it upon the Foot of a Treaty, as a Subject fit for the Determination of their united Wisdom.

The Matter being thus, it would seem to be highly arrogant, if not absolutely seditious, for any Person to propose, by Writing or Discourse, that the Matter should be decided by Arms, till the Estates of Both Kingdoms come to some Determination in the Point by the above-mentioned Treaty. The Subject is too weighty for common Discourse, and the Theme too high for every common Pen, therefore it concerns those intrusted with the Administration in both Kingdoms, to Refrain, as far as the Laws will allow it, all such Discourses and Writings on this Subject, as tend to create or increase a Misunderstanding betwixt the two Nations, which every good Subject will certainly endeavour to avoid.

Then as to the Tryal and Execution of Captain *Green*, and some of his Crew, for Piracy and Robbery; it is evidently as much above the Reach of those who are most apt to talk of it, as the former. The General Law of Nations, the Particular Constitution of *Scotland*, the Justice of their Courts, and of Her Majesty's Administration there, are all concern'd in this Matter; so that in good Manners to the Queen, we ought to forbear our Censures till the Tryal be made publick by the Authority of the Court that condemn'd the Captain and his Crew. But allowing, after all, that it should appear they suffer'd unjustly, this being only a particular Case, which may happen in the best govern'd Nation in the World; (if Evidence will forswear themselves) it can be no Ground for a publick Quarrel betwixt the two Kingdoms.

It is therefore unaccountable, that such Libels as have been Printed and Publish'd against the whole *Scotch* Nation, with a direct Tendency to expose all of that Country to the Fury of the Mob, should not have met with any Rebuke from Authority. This must certainly proceed from the Neglect of those whose Business it is to lay such Things before the Ministry, who know too well, that such Outrages upon the Justice and Government of *Scotland*, may give a Handle to some People there to obstruct Her Majesty's Affairs, which are to be laid before the approaching Parliament of that Kingdom.

Such general Considerations as these, may prevail with Men of Temper and Thought to forbear their Censure, to leave the Matter to the Determination of a Treaty, and to joyn in any peaceful Methods that can be propos'd for bringing Matters to a right Understanding betwixt the two Kingdoms. But for the sake of such as speak before they think, and breath nothing but Fire and Sword against the *Scots*; it is necessary to be more particular.

Then, 1. It is propos'd to the Consideration of those Gentlemen, That Peace and War is not in their Power, but lies in the Crown, as the Purse that must carry it on lies in the Parliament.

2. That the Queen is natural Sovereign to the *Scots* as well as to the *English*, and is endowed with too much Royal Justice and Clemency, to enter into a War with her ancient Kingdom, except constrained to it by absolute Necessity.

3. That Her Majesty has discover'd too much Wisdom since her happy Accession to the Throne, to engage in a War of that Nature, without first hearing what the Parliament of *Scotland* have to say for their Demur in the Point of Succession, and without consulting the Parliament of *England* upon the Objections and Proposals of the *Scots*.

4. That the Parliament of *England* consists of too many Gentlemen of Probity, Wisdom, and Estates; and those of them especially which lie by *North Humber* and *Trent*, know too well the Danger they must incur by a War with the *Scots*, to enter into it rashly.

5. That *England* has too many Enemies abroad, and is too much divided at home, to make War upon *Scotland* for what may be determin'd without one.

To clear up this Point, it is necessary to consider what it is that the *Scots* demand, and which way they desire those Demands may be determin'd.

Their Demands we find express'd in their Act of Security (which had the Royal Assent last Session of Parliament.) in the following Terms.

“Pro-

“ Provided always, That the same be not the Successor to the Crown of Eng-
 “ land, unless that in this present Session of Parliament, and any other Session of
 “ this or any ensuing Parliament during Her Majesty's Reign, there be
 “ such Conditions of Government settled and Enacted as may secure *The Honour*
 “ and *Sovereignty of this Crown and Kingdom, the Freedom, Frequency, and Pow-*
 “ *er of Parliaments, the Religion, Liberty, and Trade of the Nation, from English*
 “ *or any Foreign Influence.*

And the Way how they desire those Demands to be determin'd, appears by the
 following Resolv^e of the same Parliament; viz. “ That the Succession be put off
 “ till we have had a previous Treaty with *England* in relation to *Commerce, and o-*
 “ *ther Concerns with that Nation.*

Now if *Engl^{ish}men* consider those Demands, and weigh them in the Ballance of
 Justice, they must of necessity own, that they no more than what the Parliament
 of any free Kingdom is oblig'd to demand for the People they Represent, except
 they betray the Trust that is repos'd in them, and be wanting to themselves and
 their Posterity. They would expect the same from the Parliament of *England*, if
 the Case were their own; and it is evident, as has been already * *Reflections on*
 us'd in Defence of the Scots Act of Security * that their noble the *Earl of Haver-*
 Ancestors took the like Care of *England* by the 14th of *Edward* *tham's Speech*
 III. when the Crown of *France* devolved upon that Prince as
 the right Heir. 19.

England was then under the same Apprehensions of being made subject to *France*,
 that the *Scots* complain they have experienc'd as to *England* since the Union of the
 Crowns; and therefore it was Enacted by the Statute above-mentioned, “ That our
 “ Realm of *England*, nor the People of the same, of what Estate or Condition they
 “ be, shall not, in any time to come, be put in Subjection, nor in Obeisance of us,
 “ nor of our Heirs nor Successors, as Kings of *France*, as afore is said, nor be subject
 “ nor obedient, but shall be free and quite of all manner of Subjection and Obeisance
 “ aforesaid, as they were wont to be in the Time of our Progenitors, Kings of
 “ *England*, for ever.

Now, since it is evident, that in the Reigns of Her Majesty's Progenitors, be-
 fore the Union of the Crowns, the Parliaments of *Scotland* were free, frequent,
 and had great Power; that their Kings were oblig'd, by the Nature of the Trust
 repos'd in them, to take care of the Honour and Sovereignty of that Crown and
 Kingdom, and to preserve their Religion, Liberty, and Trade, from any foreign
 Influence: It is plain, that the *Scots* have as good a Right to demand the same
 Freedom and Exemption from Obedience to Her Majesty and Her Successors, as
 Sovereigns of *England*, as the *English* had to demand such a Freedom and Ex-
 emption from Obedience to *Edward* III. and his Successors, as Kings of *France*: And
 if this be denied the *Scots*. Have we not Reason to think that *the Judge of all the*
Earth will do them Justice, and condemn *Englishmen out of their own Mouths*?
 Her Majesty, by her Oath, as Queen of *Scotland*, is oblig'd to Govern that Nation
 according to their own Laws, and by the Advice of her Great Council of that King-
 dom, and to preserve their Religion, Liberty, & Trade, from all hurtfull Influences, as
 much as she is oblig'd to preserve those of *England*: Therefore those Incendiaries who
 make it their Business to throw Firebrands of Contention betwixt the two Nations, will
 find themselves highly mistaken if they think to engage, a Princeis of Her Majesty's
 Piety

Piety and Moderation in an unjust War betwixt Nations that are equally her Subjects, and by Consequence have an equal Right to Her Royal Protection, as a Common Mother. Her Majesty knows, that her Fame is already advanc'd to a Pitch as high as that of the most glorious of her Ancestors, and therefore can never intertain so mean a Thought, as to give Occasion to have it tarnish'd in the Annals of her ancient Kingdom, by such a Reflection as this, That *the Royal Family of Stuart* * which was advanc'd to their Throne in Exclusion of the Family of Baliol, which had subject ed their Crown to that of England, had taken their Farewel of the Nation by attempting the very same thing. But to return from this Digression :

It is plain then, from the Demands of the *Scots*, that they don't refuse to come into the same Succession with *England*, but only delay it, till they procure an Act to secure the Honour and Sovereignty of their Crown, and the Security of their Religion, Liberty, and Trade, from English or other Foreign Influence; and until they have had a previous Treaty with *England* about Commerce and other Concerns. Her Majesty and the Parliament of *England* have so far agreed to this, that they have pass'd an Act to empower Her Majesty to name Commissioners for *England* to treat with Commissioners from *Scotland*, about such an Union of the Kingdoms as they shall in their Wisdoms think convenient and necessary for the Honour of Her Majesty, and the Common Good of both the said Kingdoms for ever.

So far Her Majesty and the Parliament of *England* have consented to meet the *Scots* half way towards Settling a good Understanding with them: And Her Majesty for her own part, as Queen of *Scots*, was graciously pleas'd to empower her Commissioner to the last Session of Parliament of that Nation, "To give the Royal Assent to whatever Terms and Conditions of Government, with Regard to the Successor, could in Reason be demanded, and was in Her Majesty's Power to grant, for the securing the Sovereignty and Liberties of that Her ancient Kingdom. As appears by Her Majesty's Letter to that Parliament, dated *June 25th*, 1705.

The Case being thus, that the *Scots* have propos'd an amicable Accommodation of Differences by a Treaty, and that *England* has agreed to it; we leave it to the Consideration of those fiery Gentlemen, who will hear of no other Determination of this Matter but by the Sword, whether they don't by such Discourses and Writings, fly directly in the Face of the Government of *England*, and what Punishment they are to expect, if Justice should be demanded against them by the Government of *Scotland*.

It is proper, in the next Place, to consider more particularly the Grievances complain'd of by the *Scots* since the Union of the Crowns, which they desire to be secur'd against, before they come into the same Succession with *England*.

Those Grievances, we find by the above-mentioned Clause of the Act of Security, are reduced to three Heads, their Religion, their Liberty, and their Trade; in all which, they say, they have suffered very much by the Influence of *English* Councils.

* *Majory Bruce*, Daughter to King Robert Bruce, who was created King by the *Scots* when they Desbro'd Baliol, was married to the Family of Stuart; and her Son Robert succeeded to the Throne.

H E A D I.

The Grievances complain'd of by the Scots in Matters of Religion.

AS to their Religion, they offer to prove the Charge by their Histories, their Acts of Parliament, and the Acts of the General Assemblies of their Church: In Substance thus.

1. That their King *James VI. and I. of England*, did, by the Influence of *English* Councils, introduce Bishops and a High Commission Court, contrary to the Mind of their Church, against their standing Laws, and in Violation of his own solemn Oaths and Protestations; That he invaded the Constitution of the Provincial and General Assemblies of their Church, took away their Freedom of Vote and Debate, and pack'd them with Members who had no legal Commission, but were summon'd by himself at his Pleasure: He commanded Obedience to their illegal Canons, by Proclamation, and expos'd those who refus'd it to the Fury of his High Commission. He sent for the chief Ministers of their Church to *England*, where they were hector'd and closeted, and brow-beaten, and confin'd by way of Imprisonment to the Houses of the *English* Bishops, where they were insulted and teaz'd by themselves and their Chaplains. Some of them were afterwards banish'd their Native Country, and others of them pursued for their Lives, because of their adhering to the legal Establishment of their Church, and keeping her Assemblies according to Law, but contrary to his Arbitrary Commands and Proclamations: And to wreath this Yoke about their Necks, he impos'd the *English* Ceremonies upon them by a pack'd General Assembly at *Perth*, and confirm'd Episcopacy and those Ceremonies by a pack'd Parliament afterwards, having first invaded the Freedom and Constitution of that Parliament, and come down as far as *York* to overawe them by his Nearness.

They complain, That King *Charles I.* by the Influence of the same Councils, pursued the same Measures; and as the Courtiers in his Father's Reign had overturn'd the Government of their Church, the Courtiers in this Reign encourag'd such Bishops and Clergy-men, as corrupted her Doctrine by *Arminian* and *Papish* Principles. The chief Posts in the Kingdom, and the greatest Share of the Administration, was devolved upon the Bishops, and they aimed at the Restoring the State of Abbots to their Revenues, and Seats in Parliament, and to have half of the Temporal Judges compos'd of Ecclesiasticks: In a Word, The Court Favour made the Bishops so insupportably Proud, that they became intolerable to the Nobility, and hateful to the whole Nation; who endured them, untill they came to impose upon the Clergy and others, new Oaths, that were not enjoin'd by Law, and to Advise the King to impose a new Book of Canons, and a new Form of Worship and Church-Government upon the Kingdom, *meerly by his own Authority*; but then the Nation broke out into a Flame, and demanded the Restitution of their Ancient Government in Church and State; which the Council of *England* advis'd the King not to agree to, but to reduce the Scots by Force.

This

This occasion'd that excellent, but mistill Prince, to invade his Native Country with a mighty Army, which meeting with unexpected Opposition from the oppress'd and intrag'd Scots, brought the Matter to a Determination by several Treaties; in which the Scots regain'd their ancient Freedom in Church and State; and, as some Historians of that Time express it, His Majesty return'd from Scotland a contented Prince from a contented People.

But alas! this Calm lasted not long; the same pernicious Councils which first brought on the Tempest, did again renew it with more Violence than ever: Those who complain'd of Grievances in *England*, were encourag'd to demand a Redress by the Reviving Discontents in *Scotland*; and this rekindled the Flames of War, which the Violence on all sides made it impossible to extinguish, but by the Blood of many Thousands, and the horrid Murder of that Great Prince. And this brought on that abominable Usurpation and Anarchy in Church and State; the Remembrance of which will be accursed to all Posterity.

The next thing the Scots complain of, is, That after the Restoration of King *Charles II.* that Prince was so far from remembering what that Nation had suffer'd from the prevalent Usurpers for endeavouring to prevent the illegal Trial and horrid Murder of his Father, and did so little consider how they had expos'd themselves to the Rage and Fury of the same Victorious Usurpers, by Proclaiming himself immediatly upon the first Notice of his Father's Death, by inviting him from beyond Sea, and then by Enthroning him, and raising an Army to maintain his Right, when there was not a Man in *England* to vouchsafe him a Cottage, or to draw a Sword in his Quarrel; that instead of a grateful Retribution for such Eminent Services and Sufferings, he did, by the pernicious Influences of *English* Councils, overturn the Constitution of their Church that his Father had restor'd, and which he himself had Sworn to preserve; and by pack'd Parliaments enacted such oppressive and sanguinary Laws, to force them to a compliance with his new Model of Episcopacy and Ecclesiastical Supremacy, as did more resemble the Laws of *Draco* than the Constitutions of a Christian Government. And because those Laws, and a rigorous Execution of them by the Civil Magistrate, were not sufficient to bring the People of *Scotland* to the desir'd Compliance, it was attempted by Military Force and Dragooning Expeditions, as barbarous as those which have been since exercis'd upon the Protestants of *France*: This occasion'd several Insurrections, and gave the Court a Handle to ruine the Country by Highland Hosts and standing Troops, who filled the Nation with Blood and Rapine. And thus King *Charles II.* died, shedding the Blood of the Scots for opposing his usurped Power over their Consciences, tho' they had been formerly so prodigal of their Lives for maintaining his Title against those who had usurp'd his Power in *England*, and forc'd that Nation to abjure him and the whole Royal Family.

In this condition, say the Scots, did King *Charles II.* leave their Country to his Brother, their King *James VII. and II.* of *England*, who being act'd by the same Councils, and as forgetful of the Obligations that *Scotland* had put upon his Family, as of the personal Obligations they had put upon himself in settling his Succession to the Crown of *Scotland* by Act of Parliament, when the Commons of *England* had Voted him incapable of theirs; he continued the same oppressive Measures in point of Religion, got new sanguinary Laws enacted upon that Head, more severe than any of those in his Brother's Reign; and at last assum'd an absolute Power.

er and uncontrollable Authority to annul those Laws which establish'd the Protestant Religion, and, contrary to Law, put the chief Places of Trust, both Civil and Military, into the Hands of Papists, which inflam'd the Nation so much, that it brought on the Revolution, and occasion'd his Forfeiture.

The *Scots* add, That the pernicious Influence of *English* Councils upon their Religion, did not determin'd with the Revolution, but soon after King *William* was settled upon the Throne of *Scotland* he began to give Marks of his Aversion to the Government and Discipline of their Church (tho' the same in which he had been bred up himself) and contrary to Law sent Arbitrary Letters to stop Ecclesiastical Proceedings against such of the Episcopal Clergy as refused to own his Government, or to submit to the Jurisdiction established in the Church by Act of Parliament; and for Non-compliance with those Arbitrary Commands, did, contrary to the Statute, adjourn and dissolve the General Assemblies of their Church, and at last entered into a Design to re-impose Episcopacy on *Scotland*, but that the general Loyalty of the Presbyterians in that Nation, and the general Aversion which the other Party discover'd to his Person and Government about the time of the *La Hogue* Expedition, open'd his Eyes; and convinc'd him that it would not be for his Interest to pursue that Design.

The *Scots* complain, in like manner, that since Her Majesty's Accession to the Crown, some of the Prelatical Clergy in *Scotland* were prompted by *English* Influence and Incouragement; to intrude themselves into Churches from whence they had been thrown out by Sentence of Council and Parliament, for Disaffection to the civil Government in King *William's* Reign; and the Party was likewise embolden'd to Address Her Majesty for an Indulgence contrary to Law, as if they had liv'd in a dispensing Reign, tho' at the same time the greatest part of 'em refus'd to swear Allegiance to Her Majesty, and some of those who had done it, made no Scruple to own, that they swore to her only as Guardian, or Regent, during the Minority of her supposed Brother: And it is known, that such of that way as are ordain'd by the outed Bishops, are by them oblig'd, at their Ordination, to swear Allegiance to the *St. Germains* Pretender.

Then since the *Scots* offer to make good all that is here alledg'd, by their Acts of Parliament, the Acts of their General Assemblies, Proclamations, Declarations, Council-Books, Claim of Right, Records of Courts, and other proper Vouchers, by which it will also appear, that in every Reign since the Union of the Crowns, their Religion has been invaded, or indanger'd by *English* Influence; it is left to the Consideration of every impartial Man, whether they have not Reason to demand such Conditions of Government as may secure them against the like in time to come, before they enter into the same Succession with *England*.

H E A D II.

The Grievances of the Scots in point of Liberty.

WE come now to the second Thing that the *Scots* demand to be secur'd in, and that is, their *Liberty*. We have Reason to think, that this Word is understood no where better than in *England*, since *Englishmen* boast, that

no Nation in *Europe* enjoys so much of it as themselves. They have been apt to think that it grows no where but in an *English* Soil; and that's perhaps the Reason why they are so little sensible of the Complaint of other People that want it, and are for ingrossing it all to themselves. Thus the *Scots*, thus the *Irish*, and thus their own *American* Plantations, do all of them complain of their too great Narrowness of Soul on that Head, and alledge, that while they pretend to fight for their own Liberty, and that of all *Europe*, they are very niggardly in dispensing it to any other People over whom they can have Influence. But we leave others, and return to the *Scots*, whose Complaints on that Head are by far the most loud, and who seem to be in the best Capacity to bring *England* to a Temper in that Point.

They complain, that *England* not only Intrenches upon the Liberty of their People, but invades the Honour and Sovereignty of their Princes, and have ever since the Union of the Crowns detain'd them in a manner Prisoners, so that they were not at Liberty to pursue their own gracious Inclinations in favour of their ancient Kingdom. If the Matter be so, we are not to wonder that the *Scots* insist upon such Conditions of Government as may secure the Honour and Sovereignty of their Crown, as well as their own Liberty, before they come into the same Succession with *England*.

The *Scots* insist upon many Instances of *England's* Intrenching upon the Prerogative of their Sovereigns, which they call an undue intermeddling in their Affairs; but there are two late ones, with which they seem to be most sensibly touch'd, and therefore I shall mention them, and no other. The first is, The Questioning in the *English* Parliament, the Act pass'd by King *William* in the Parliament of *Scotland*, for establishing their Company trading to *Africa* and the *Indies*, and the Courses which they alledge that Prince was afterwards forc'd to take against the Settlement of their *Darien* Colony. The other is, The Questions and Disputes that have been rais'd in *England* about Her Majesty's giving the Royal Assent to the Act of Security in the last Session of Parliament in *Scotland*. Now, such Proceedings as these, the *Scots* say, "are Impositions upon their Princes in relation to their *Scots* Acts of Administration, and pernicious Influences upon their Sovereign, to hinder the *Scots* from obtaining the Royal Assent to such Acts as the Wisdom of their Nation shall think necessary and expedient for Her Majesty's Honour, and their own Liberties and Trade; and therefore it is that they propose such Conditions of Government as may rescue their Princes, who together with their *Scots* Prerogative, have been swallowed up by the *English* for these hundred Years past, without the least Exercise of their own free Will *.

* See Proceedings of the Parliament of Scotland 1703, p. 300, &c.

But I come now to some other of the most remarkable Instances given by the *Scots* of their having suffered in their Liberty by the Influence of *England*; in which, there will be a Necessity to repeat some of their Grievances already mentioned in point of Religion, because that and their Liberty were so much twisted together.

The first is, That King *James VI.* of *Scotland* and *I.* of *England*, tho' his Royal Predecessors had always maintain'd the Independency of their Church as well as of their State upon *England*, attempted to bring their Church into Subjection, under the Notion of bringing it to a Conformity with the Church of *England*; and for that

that End not only took the Courses already mentioned on the Head of Religion, but sent for his *Scots* Bishops to have them Ordain'd by those of *England*; and acted in that Affair wholly by the Influence of his *English* Prelates and their Friends.

This Design met with very great Opposition in *Scotland*, both from those of the Episcopal and Presbyterian Way, but most indeed from the latter; and one of their Number, Mr. *David Calderwood*, writ a Book on that Subject in opposition to the King's Measures, intitled, *Aliare Damascenum*, which is esteem'd by all Calvinistical Divines beyond Sea, as well as here, to be one of the most learned and unanswerable Pieces that ever was writ upon the Subject.

King *James* perceiving that it was impossible to overturn the Church of *Scotland* so long as the Country was possess'd of their Civil Liberty, to which the *Scots* say, he was as great an Enemy as to their Presbytry; he procur'd, soon after his Arrival in *England*, an Act to enlarge his Prerogative in *Scotland*, which is the first of his eighteenth Parliament; and by the second Act of that same Parliament, he got the Estate of Bishops restor'd to their Temporalities, Dignities, and Honour, as a necessary Means for maintaining this enlarged Prerogative: Then by the High Commission Court, which he had erected after the manner of *England*, he got the Persons and Estates of all his Subjects into his Power, without being tied up to the Forms of the Common Law; and his Bishops, whom he had made Lords of the Exchequer, Privy Counsellors, Judges, and Members of the High Commission, overaw'd the whole Kingdom, treated the Nobility with Contempt, disputed Precedency with them in Parliament, and accus'd them to the King as they thought meet.

The next Step was, to invade the Freedom and Constitution of the Parliament of *Scotland*, which was done thus: 1. The Court discharg'd the presenting of all Grievances to Parliament, but what were first allowed by the Privy Council, and sign'd by the King. 2. When the Parliament met, they discharged the private Meetings of any Members to consult upon what was to be treated in the House. 3. Contrary to the custom of Parliament, they refus'd to let the House have the perusal of what was previously agreed on by the Lords of the Articles. 5. Contrary to the custom of Parliament, the Bishops illegally withdrew into the Inner-House, and chose the Temporal Lords of the Articles, whom the Court had agreed upon before hand, and those Lords again chose the Bishops that were to be upon the Articles, and both together chose the Barons or Knights of Shire, and Burgesses: and thus the Constitution of Parliament was quite overturned, their Freedom of Debate was also taken away, and all reasoning upon Matters propos'd in the House forbid; the Right of Voting was likewise invaded by Proxies from *English* titular Lords and others that were absent, a Custom altogether unknown in *Scotland* till that time; and all this contrary to positive standing Law, as appears by that same King's 11th Parl. cap. 40. and Parl. 8. cap. 130. This was an Invasion upon the Liberty of *Scotland* with a Witness; and the *Scots* say, it was effected by his Power and Influence as King of *England*, all their Ministers of State, Privy Counsellors, and Judges, which were formerly nam'd by their Parliaments, and approved by their Kings, being at this time nam'd by his Majesty alone, by the Influence and Advice of his *English* Counsellors.

King *Charles* I. not only pursued, but exceeded those Measures which had been follow'd by his Father, and went with an Army to force the *Scots* to submit to the Service-Book, Book of Canons, and High Commission, impos'd upon them with.

out consent of Parliament or General Assembly, and by Consequence contrary to the Fundamental Laws of the Nation. And all this was done by the Influence of his *English* Councils, who advis'd his Majesty rather to reduce the *Scots* by Force, than agree to their Demands, tho' they were no other than what were warranted by the Laws of their Country: And it is remarkable, that Archbishop *Spotswood* agreed with the *English* High-Church Party in this Advice, and was for striking all *Scotsmen* out of his Majesty's Council and Service, as we are inform'd by Dr. *Heylin* in his * *Life of Archbishop Laud*, who was one of the main Promoters of those Councils.

King *Charles II.* soon after his Restoration, by the Advice and Influence of that same Party, got together a pack'd Parliament, which being neither free in its choice, nor allow'd Freed om of Debate, betray'd the Nation, whose Rights they were oblig'd, by their Oaths, to preserve, and by this means the King obtain'd a base Surrender of all the Ancient Priviledges of the Nation that his Father had restor'd to them upon Treaty, and which he himself had Sworn when Crown'd in *Scotland*, and all Persons in publick Trust were oblig'd to acknowledge and assert all those things to be the Right and Prerogative of the Crown, and to promise to maintain his Majesty in that Jurisdiction. By the first Act of his second Parliament, which was influenced by the Duke of *Lauderdale's* Intrigues, an absolute Power in all Matters Ecclesiastical was lodg'd in the King; and by the second Act he had a perpetual Army of 22000 Foot and Horse granted him for the Maintenance of that Power which they had given him both over Church and State.

The Use that the King made of this Power, was, by Proclamation alone, without any other Form of Law, to turn out all those Ministers who did not comply with his new Methods of Government: And the People being unwilling, in many Places, to abandon those Ministers, new Acts were made to enforce a compliance with those that were intruded in their Places, under severe Penalties, and to oblige Gentlemen who absented from Church, to give Bond not to rise in Arms, upon any Pretence whatsoever, against the King, or any having his Commission, on pain of being Forfeited----: Nay, it was made Treason, so much as to Petition against those Methods. And in Order to straiten the People in point of Conscience as much as human Law could do it, their coming to Church was enjoin'd by Law as a *Testimony and Evidence of their approving his Majesty's Government Ecclesiastical and Civil*; which being directly contrary to the Fundamental Laws of the Kingdom, and to Oaths that the Nation had formerly taken, by Authority of King and Parliament, the People were either oblig'd to comply against their Consciences, or to suffer; and a great many chusing the latter, this gave the Court a handle to levy their Fines by Military Execution: And the Troops employ'd in this, exceeded in Brutishness and Barbarity what is commonly practis'd by Parties of different Nations in War with one another.

This forc'd abundance of People from their Houses; and their Spirits being imbitter'd by Oppression, a few of them imprudently took up Arms in 1666, which gave the Courtiers a Handle to gratify their Malice with their Blood, and brought in some Fines and Forfeitures, that in some Measure help'd to satiate their Avarice, and gave also them a Handle to continue the Persecution, in order to raise a more general Insurrection, because the Governing Party at Court knew how to improve

improve those Emergents to the carrying on of their important Designs of enslaving the Country. In order to this, they did, without any Law impose a Bond of Conformity upon the Subjects, wherein every Subscriber was bound for himself, Wife, Children, Servants, and Tenents, to frequent their Parish-Churches, never to go to Meetings, or entertain any that went, but to inform against, pursue, and deliver up all Nonconformist Preachers to Trial and Judgment. This was such an intolerable piece of Tyranny, that the Government found themselves oblig'd to bring down ten or eleven Thousand *Highlanders* to join their standing Forces, and impose this Bond in a time of full Peace, upon the Nobility, Gentry, and common People, on pain of Military Execution; and upon those that refus'd, the Soldiers and *Highlanders* had free Quarters, plunder'd their Houses, and drove their Cattel. At the same time the Government disarm'd the whole Country, not excepting those of the greatest Quality, put Garisons into Gentlemens Houses without their Consent, and levied Money for their Maintenance without Authority of Convention or Parliament.

Many of the People and Ministers being thus forced from their Houses, kept their Assemblies for Worship in the Fields, which became at last so frequent and numerous, that the Government, under pretence of dreading the Consequences of such Assemblies of People whom they had thus inrag'd, proclaim'd them to be Rendezvouzes of Rebellion, and call'd a Convention to raise Money for maintaining Forces to suppress them: But knowing that the Country would be averse to this, because they knew how the People had been forc'd to those Conventicles, and that they would injure no Man who did not injure them; some *English* Forces were brought down to the Borders to over-awe the Convention of *Scotland* into Granting of Money; and those who sat at the Helm would not be satisfied with having the Money for the necessary Occasions of the Government, but would have it express'd in the Narrative of the Act, That it was granted for suppressing of Conventicles, on purpose to fret the Consciences of the People, because they knew that many of those of whom it must be levied, thought it their Duty to attend those Meetings, and therefore could not in Conscience contribute Money toward Suppressing them.

This answer'd their End; for many Gentlemen and others refus'd to pay it, which gave an occasion for new Military Executions: And these, with other oppressive Methods, brought on the Insurrection known by the Name of *Bothwell-
Bridge*, which the Duke of *Monmouth* was sent, with Forces from *England*, to suppress. At this Insurrection there were about 300 People kill'd in the Field, and 1100 taken, who were barbarously us'd; and 300 of 'em being sent to the Plantations; the Ship was lost by the way, and 250 of them drown'd by the brutish Cruelty of the Captain, who would not suffer them to escape when they might have done it.

The Court made their usual Improvement of this unhappy Business towards farther enslaving the Country: They appointed Judges to go the Circuits, on purpose to enquire after, and punish all those who had been actually in this Rebellion, who had given any Entertainment or Relief to those that were, or who had not attended the King's Army in order to suppress it. This fell heavy upon Multitudes of People; some were forc'd either to give Evidence against their Friends and Relations, or to disobey the Summons at their Peril; others must either relieve and conceal their Friends and Relations that had escaped from the Field, which made them equally Criminal with themselves, or suffer them to starve, which was in-

human ; and many Gentlemen who did not approve such an imprudent and tumultary way of taking Arms, yet could not in Conscience join the King's Army, to shed the Blood of those People whom they knew to be made mad by Oppression, merely because they could not comply with the Courses of the Times, and particularly with Prelacy, according to the Mode of the Church of *England*, against their own fixt Principles.

By this Means Men of Estates, as well as others, were involv'd in Dangers and Perplexities, and in hazard of their Lives for conversing with their own Tenents, it suspected to have been at that Insurrection, tho' it were but to demand their Rents from them : And by this means the best Provinces of the Nation became a perfect Theatre of Woe and Calamity.

Some time after this, the Duke of *York*, when in danger of being excluded from the Crown of *England*, was sent down to govern *Scotland* : There he acted as a Privy Counsellor, and as High Commissioner for his Brother, without taking the Oaths appointed by Law : And in that Parliament, where he himself presided, he got an Act to secure his own Succession, and a self-contradicting Test enacted for the Support of his Title.

Thus the Court of *England* accomplish'd at last what they had all along principally intended by enslaving and impoverishing the Kingdom of *Scotland* : They had now wholly bereft them of that Constitution in Church and State, which made it impossible to bring Popery and Slavery upon them ; and therefore made bold to pull off the Vizard. They had soon after the Restoration sacrific'd the Marquis of *Argile*, the Lord *Wariston*, Mr. *James Guthrie*, and others, to make way for that exorbitant Power in Church and State, which they afterwards grasp'd at ; and having butcher'd some Hundreds, and impoverish'd many thousands of the best Protestant Subjects of the middle and inferior sort, they thought themselves now in a Condition to set up avowedly for the Religion of *Rome*, and the Government of *France*, and would cement the Walls of their *Babel* by the Blood of the Son, as they had laid the Foundation of it in the Blood of the Father : And thus they condemn'd, and afterwards executed, the Earl of *Argile*, for saying, when the contradictory Test above-mention'd was impos'd upon him, " That he took it in so far as it was consistent with it self and the Protestant Religion ; and that he meant not to bind up himself in his Station, and in a lawful Way ; from endeavouring any thing which he thought to the Advantage of Church or State, not repugnant to the Protestant Religion and his Loyalty ; and that he understood this to be part of his Oath.

The Court went on to press their Test upon all Persons who were oblig'd by Law to take it, and found it as successful an Engine against the best of the conformable Clergy and Layery, as their former Oaths had been against the Presbyterians : So that the best of the Episcopal Ministers chose rather to turn out than to take it ; and the Nation in general being disgust'd at those tyrannical Methods of Administration, and being fully convinc'd that Popery and Slavery was intended, some People of Quality, and others, began to think upon Measures for preventing it ; which happening to be at the same time that the Lord *Russel* & others had entertain'd the like Thoughts in *England*, it was branded with the Name of a Plot : And as that Noble Lord, Colonel *Sidney*, and others, fell in *England* under the Weight of that heavy Charge by wrested Law, the governing Parry in *Scotland* were so much above

above all legal Forms, that they tryed, and inhumanly Executed a worthy Gentleman, *Baillie of Ferriswood*, upon the same Account, in one day.

And being sensible that the Poor oppressed People were of Opinion, that the Obligations betwixt Prince and Subject were reciprocal; and that by the constant Practice and fundamental Laws of *Scotland*, the Prince had always been reckon'd accountable for his Administration, and knowing likewise that the Country was sensible of King *Charles II's* having broke through all the Conditions upon which he receiv'd their Crown, and that they did think it lawful to resist those who put his arbitrary Commands in Execution against their Lives and Estates, they would many times take up People against whom they had nothing to say, and force them to discover their Thoughts upon one or other of those Heads, and upon such extorted Discoveries condemn and put them to Death; or if they would not answer their captitious Questions, nor declare their Opinion, but stand upon the Right of Mankind, and insist that Thoughts were subject to no human Law, they would proceed against them, as if they had confessed themselves guilty of treasonable Principles, and execute them accordingly.

By these Methods abundance of People were forc'd to fly to the Mountains and Woods, and to hide themselves in Dens and Caves, where they were hunted by Soldiers, like Beasts of Prey, and frequently murder'd in cold Blood. Human Nature not being able to bear such Treatment, some of those so hunted by the Soldiers, did by Night affix Papers to Church Doors, and other publick places, threatening to treat the Soldiers in the same manner, wherever they found an Opportunity, if they did not forbear such barbarous Practices. This gave the Court a New Handle to oppress the Country further, and to impose an Oath upon all People universally, to abjure that foolish Declaration of those enraged and desperate Men; and the Soldiers had Power immediatly to kill all those they found travelling on the Roads, who refus'd it. No Man was suffer'd to travel about his ordinary Affairs without a Pass that he had sign'd such an Abjuration; and Inn-keepers and Hostlers were empower'd to impose an Oath upon all their Guests, that their Passes were not forg'd, and such as refus'd it were immediatly carried to Execution. In this distracted Condition did King *Charles II.* leave *Scotland* at his Death.

When his Brother King *James* came to the Throne, he got all those arbitrary Methods justified by Laws fram'd on purpose, in his first Parliament held by the late Duke of *Queensberry*; and to refuse the Abjuration abovementioned, was made Treason by the 23d. Act of that Parliament: By the 4th. Act, those who were summoned as Witnesses in cases of Conventicles, were liable to be punish'd as guilty of the same Crimes, if they refus'd to swear against others: By the 5th. Act, the owning of any Obligation by the National or Solemn League and Covenant, was made high Treason; and by the 7th. Act, giving any Supply to Persons forfeited on these Accounts, tho' the nearest Relation, infer'd the like Penalty: By the 8th. preaching at House or Field Meeeing, was punishable by Death; and by the 24th. all Gentlemen were obliged to insert a Clause in Leases to oblige their Tenents and their Families to Conformity under exorbitant Penalties.

But King *James* finding those Measures unsuccessful, did, for Ends well enough known, alter his Methods; and not being able to bring the Parliament of *Scotland* to grant a Tolleration to Papists, he assum'd what never any of his Predecessors dar'd to offer at, *viz.* an absolute Power to anul all Laws establishing the Reformation

mation in *Scotland*, to make the *Papists* capable of all places of Power and Trust, and to give them freedom of Worship as well as *Protestants*: And among other Laws he pretended thus to repeal, the Test Act was one, for refusing which, in its Contradictory Sense, the Earl of *Argile* was condemned to Death: In a word, by his absolute Power, and uncontrollable Authority, to which he demanded *Obedience without Reserve*, King *James* pretended to repeal all these Acts for contraveining of which his Brother and he had forfeited so many Estates, and shed so much Blood. Then seeing it is evident that the *Scots* did suffer thus in their Religion and Liberty for not complying with the Court of *England*, can any rational Man blame them to insist upon such Conditions of Government as may secure them against the like in time to come, before they join in the same Succession with *England*?

It must be confessed, that the Proceedings above-mentioned may seem incredible, and the matter of Fact to be aggravated, on purpose to libel the Administration of those two Reigns; but if any Man entertain such a Scruple, he may soon satisfy himself of the Truth, by looking upon the *Scots* Claim of Right, where he will find not only all those particular Grievances here insisted upon mentioned, but many others of as high a Nature, that are omitted in this Narrative; as will appear by the following Abridgement of the Claim of Right.

1. That by the Law of *Scotland*, no *Papist* can be King or Queen, or bear any Office; nor can any *Protestant* enter upon the Exercise of the Royal Power, till they take the Coronation Oath.
2. That all Proclamations asserting an absolute Power to annul Laws, the erecting of Schools and Colleges for *Jesuits*, turning *Protestant* Churches and Chapels to Mass-Houses, and allowing Mass to be said, and *Popish* Books to be printed and dispers'd, is contrary to Law.
3. That sending the Children of Noblemen, Gentlemen, and others, abroad to be bred *Priests*, making Funds for *Popish* Schools and Colleges, bestowing Pensions on *Priests*, and perverting *Protestants* by Offers of Places, Preferments and Pensions, are contrary to Law.
4. That disarming *Protestants*, and employing *Papists* in Places of greatest Trust, thrusting out *Protestants* to make Room for *Papists*, and intrusting *Papists* with the Forts and Magazines of the Kingdom, is contrary to Law.
5. That imposing Oaths without Authority of Parliament, is contrary to Law.
6. That employing Officers of the Army as Judges through the Kingdom, or imposing them where there were Hereditary Officers and Jurisdictions, and putting the Subjects to Death without legal Jury or Record, are contrary to Law.
7. That imposing extraordinary Times, demanding exorbitant Bail, and disposing of Fines and Forfeitures before Sentence, are contrary to Law.
8. That imprisoning Persons without expressing the Reason, and delaying to put 'em to Trial, is contrary to Law.
9. That pursuing and forfeiting Persons upon Stretches of old and obsolete Laws, upon frivolous and weak Pretences, and upon lame and defective Probation, as the late Earl of *Argile*, are contrary to Law.
10. That the imposing Magistrates, Councils and Clerks, upon Burroughs, contrary to their Liberties and express Charters, is against Law.
11. That sending Letters to Courts of Justice, ordering Judges to stop, or desist from determining Causes, ordering them how to proceed in Causes depending before them, and the changing the Nature of the Judges Gifts *ad vitam. aut culpam* into Commission *durante beneplacito*, are contrary to Law.

- 12 Granting personal Protection for Civil Debts, is contrary to Law.
- 13 Forcing Subjects to swear against themselves in capital Crimes, however the Punishment be restricted, is contrary to Law.
- 14 Using Torture without Evidence, or in ordinary Crimes, is contrary to Law.
- 15 Sending an Army in a Hostile manner upon any part of the Kingdom, in a time of Peace, and demanding Money and free Quarters, is contrary to Law.
- 16 Charging the Subjects to appear in the King's Name, and imposing Bonds upon them without Authority of Parliament, and suspending Lawyers from their Employment for not appearing when the said Bonds were offered, was contrary to Law.
- 17. That putting Garisons in Privat Mens Houses in time of Peace, without their Consent, and the Authority of Parliament, is contrary to Law.
- 18. To make it Treason to conceal a Demand of Relief to a forfeited Person, tho the said Relief be not granted, is contrary to Law.
- 19. To make it Treason for a Man to refuse to discover his privat Thoughts in relation to Points of Treason, is contrary to Law.
- 20 The Fining of Husbands, for their Wives withdrawing from the Church, is contrary to Law.
- 21 That to prosecute or imprison Subjects for petitioning the King, is contrary to Law.
- 22. That the Subject has a Right to petition King and Parliament for redress in Cases of Law.
- 23. That it is the Right of the Subject to have frequent Parliaments; that those Parliaments be allowed to sit, and that the Members have Freedom of Speech and Debate.

These being the most remarkable Heads of the Claim of Right, and by Consequence of the Grievances, upon which the Nation forfeited the late King *James*; it is an evident Proof, that the Religion and Liberty of the Kingdom was quite swallowed up by the Court, and that the Subjects of *Scotland* are become as absolute Slaves as those of *France* or *Turky*; and therefore are by no means to be blamed for insisting upon a Security against such Treatment in time to come, before they settle their Succession: And they have so much the more Reason for this, that not only their Grievances from *English* Influence upon their Religion did not determin at the Revolution, as has been already hinted; but their Grievances from the same Influence upon the Civil Liberty, continued beyond that time. One evident Instance of this, appears from an Address of most of the Members of the *Scots* Parliament, delivered to King *William* at *Hampton Court* 15 *October*, 1689, wherein they complain of a long Adjournment of the Parliament in so critical a Season, during the unsettled State of the Kingdom, to the great Discouragement of the good Subjects, and to the delay of the Relief and Comfort which they expected.

The first thing they complain of, was, That the Royal Assent was denied to the Resolve of Parliament, That it was the Priviledge of the Estates, to nominat and appoint Committees as they should think fit, excluding the Officers of State, unless they be chosen. The Reason of this Complaint was, That the Lords of the Articles were contrary to their original Institution, made use of since the Union of the Crowns, to make the Parliament meer Tools, and wholly subservient to the Designs of the Court,

without leaving them any Power to redress the Grievances of the Country.

The second thing complained of, was, The denial of the Royal Assent for abrogating the Act of 1669, asserting the King's Supremacy over all Persons and Causes Ecclesiastical, in such a manner as gave the Court that absolute Power over the Consciences and Religion of the Nation, which occasioned all those Grievances in Point of Religion above-mentioned.

The third Complaint was, The Denial of the Royal Assent to an Act for excluding from publick Trust such Persons as had contriv'd and concurr'd with a dispensing Power and other Courses which had so much endangered the Religion and Liberty of the Nation, and who were the evil and wicked Counsellors that his Majesty had express'd himself against in his Declaration when Prince of Orange.

The fourth Complaint was, That they were not allowed their old Constitution according to express Statute, and the Practice of the Kingdom, in Naming the Ordinary Judges, and choosing their President, so necessary for the true and equal Administration of Justice.

The fifth Complaint was, for delaying the Royal Assent to the Act for restoring the Presbyterian Ministers, who had been thrust out since 1661, for not conforming to Prelacy, and the Course of the Times, tho' all these things in themselves were just, and agreeable to the Claim of Right, and his Majesty's Declaration: And besides, by adjourning the Parliament, many hundreds of Persons were delay'd in having their Forfeitures restor'd, and their Fines refund'd, according to the Claim of Right. But we shall meet with more Instances of what the Scots suffer'd in their Liberty in King William's Reign, in the next head of Trade.

I shall only add here, That King William's Delay to redress those Grievances which in his Declaration were mentioned to be the principal End of his Expedition, and his being impos'd upon to employ those who had been the Instruments of them, with such other Persons as seem'd more fit to comply with the Orders of any Prince, than to stand up for the Liberties of their Country, whilst others of Merit and Spirit were neglected, made some People who had been very instrumental in the Revolution, think they had only chang'd Masters, and not Measures, and occasion'd them to enter into a Design of bringing back the late King James again, in hopes of obtaining better Terms from him. By this Fit of Madness the Kingdom of Scotland suffer'd much, and lost that brave Gentleman Sir James Montgomery, whose high Spirit could not bear the neglect he met with, whilst others that had been the chief Tools in the late Reigns were caref'd and employed in the chief Places of Power and Trust.

H E A D III.

The Grievances of the Scots, in Point of Trade, since the Union of the Crowns.

UPON this Head of Trade, the Scots complain in general, That by the Union of the Crowns, and the perpetual Struggle they have since that time been engaged in with the Court of England, for preserving their Religion and Liberty, they not only lost that favourable Period of Time, which England and other Nations improv'd

prov'd, to the great Advancement of their Trade: but whenever they took any Step towards it, their Designs have always been nipp'd in the Bud, by the Influence of *English* Councils.

Their particular Complaints on this Head, are;

1. That the King *Edward VI.* when he Courted *Mary* Queen of *Stots*, and in consideration of that Alliance, and the Union of the Crowns which must have resulted from it, offer'd the *Scots* a Communication of Trade upon equal Terms with *England* and that they should retain their own Constitution and Laws; yet when this Union was effected by the Succession of King *James* to the Crown, the Parliament of *England* would not ratifie the Articles of the Treaty agreed upon by the Commissioners of both Nations in 1604, tho' the Parliament of *Scotland* agreed to them on Condition, that the Parliament of *England* should do the like.

For the better understanding of this, it is necessary to give an Account of the Articles of that Treaty relating to Trade.

1. It was agreed, That neither *English* nor *Scots* should import from beyond Sea, into either Kingdom, Commodities prohibited by the Laws of that Kingdom; but if such Commodities were made in either Kingdom, they might reciprocally bring them into *England* from *Scotland*, or from *Scotland* into *England*.

2. That whereas the *Scots* had greater Priviledges in *France* than the *English*, to reduce that to an Equality, *Scotsmen* were allow'd to import *French* Wine and other Commodities into *England*; paying the same Customs with *Englishmen*, and *Englishmen* might import the like into *Scotland*, paying the same Duties with *Scotsmen*; or there should be as much Custom advanc'd to the Crown, as the Advantage that one had over the other did amount to: And for Trade from other parts, the *English* and *Scots* should in each others Country have the same Liberty of Importation as Natives.

3. Neither *Scots* nor *English* should transport beyond Sea, from either Kingdom, Goods prohibited to be exported by the Laws of that Kingdom; but might transport from either Kingdom what the Law allow'd, upon taking a Cocquet accordingly, and paying the ordinary Customs.

4. The native Commodities produced by either Country, that were of Use and Benefit to the other, might be exported from the one to the other, as freely and without Impost, as they might be carried from one part of either Kingdom to another part of the same, except Wool, Sheepfels, Cattel, Leather, Hides, and Linnen Yarn, which were specially restrain'd within each Country, and reserving the Trade of Fishing in Lakes, Firths, and Bays, within Land, and in Seas within 14 Miles of the Coasts of each Realm, where no Strangers have used to fish.

5. That Foreign Goods exported from the one Kingdom to the other, having at their first Entry paid Custom in either Kingdom, shall not pay outward Custom afterward, but only inward Custom at the Port where they are landed; but the Owner, Factor, or Maffer, to give Bond not to transport the same into foreign Parts.

6. That the Subjects of either Nation might be Associates in any Company of Merchants, as Merchant Venturers, upon the same Conditions as Natives.

7. That the mutual Liberty of Exportation and Trade from either Nation to the other, should serve only for the inward Use of either Realm; and, that Transportation of the said Commodities into foreign Parts should be punish'd by Loss

Ship and Goods, and the Custom-house Officers consenting, to lose their Places and Goods, and be imprison'd at the King's Pleasure: And for the better preventing the same, at the shipping of such native Commodities, the Owner, Master, Factor, or Loader, to give a Bond to the Value of the Goods so loaded, to be cancell'd upon a due Certificate from a proper Officer or Magistrate of the Place, in *England* or *Scotland*, where the said Goods should be unloaded.

8. That *Englishmen* and *Scotsmen* might lade in one anothers Bottoms indifferently, paying only *English* and *Scots* Customs.

This is the Substance of the Articles relating to Trade, agreed upon at that Treaty.

Now, tho' those Articles were never confirm'd by the Parliament of *England*, yet the *Scots* say, that the Freedom of Trade thereby agreed on was enjoyed by their Subjects from that time till the Restoration, except during the Wars that afterwards follow'd betwixt the two Nations by King *Charles I.* and *Oliver Cromwell*: And indeed it seem'd to be very natural that the *Scots* should have enjoy'd that Liberty, since the Judges of *England*, after the Case of *Calvin* had been fully debated in both Houses, deliver'd it in Parliament as their Opinion and Resolution in Law, That the Subjects of *Scotland*, born after King *James's* Accession to the Crown of *England*, were not *Aliens*, but capable of all the Privileges of the Subjects of *England*.

But by *Cap. 18.* of the 12. of *Car. II.* which was the very Year of the Restoration, the Act for *Incouraging and Increasing of Shipping and Navigation*, put *Scots-men* in the same Condition with *Aliens*, by enacting, That no Goods should be Imported or Exported out of *Asia*, *Africa*, or *America*, but in *English* or *Irish* Vessels, or in Vessels of those Plantations, and in all those Vessels, three fourths at least of the Mariners were to be *English*, on pain of forfeiting the Goods and Shipping, with all that belong'd to them: And, that *Scots* Ships might be positively excluded from that Trade, *English-built* Shipping is explain'd by a Clause in that same Act, to be Ships built in *England*, *Ireland*, *Wales*, Islands of *Guernsey* or *Jersey*, or Town of *Barwick upon Tweed*, or in any the Lands, Islands, Dominions, or Territories to his Majesty in *Africa*, *Asia*, or *America*, belonging or in his Possession.

And by a preceding Clause in the same Act, the *Scots* were also abrig'd in the Coasting Trade of *England* and *Ireland*, because no Ships were allowed to Trade from Port to Port in *England* or *Ireland*, but *English-built* and *English-mann'd*, as above: Nor was any of the Product of the *English* Plantations allow'd to be Imported from those Plantations into *Scotland*, or any where else out of the Dominions of *England*, after the first of *April 1661*, for which, Security was to be given by those Ships in the *English* Plantations.

The *Scots* complain, that this Restraint upon their Trade, was aggravated and embitter'd to them by coming immediately upon the back of the Restoration, to which their Concurrence with General *Monk* did chiefly contribute. They thought this was but a sorry Requital from the Court for what they had done and suffered upon their Account, and particularly, that the King should have agreed to exclude the *Scots* from what part of the *West India* Trade they were formerly entitled to, as his natural-born Subjects, considering, that so many thousands of their poor People, taken at the Battels of *Dumbar* and *Worcester* as fighting his Quarrel, were transported by the Usurper to the *English West India* Plantations, which they help'd so much to People, Cultivate, and Defend.

In the Act of that same Year, entitled, *The Act of Tunnage and Poundage*, an additional Duty of one full Moiety more than was mentioned in the Book of Rates, was laid upon *Scots Cloath*.

The *Scots* complain likewise, That they are reckoned among Foreigners in the Acts of the 12 and 14 of *Charles II. Prohibiting the Exportation of Wool, &c.*

In the Act of that same Year, for preventing Frauds, and regulating Abuses in His Majesty's Customs, it is enacted, That no Foreign-built Ship enjoy the Priviledges of an *English Ship*, by which *Scots-built Ships* are excluded; and by an Interpretation in that same Clause, of what is meant by the Master and three fourths of the Mariners being *English*, his Majesty's Subjects of *England, Ireland*, and his Plantations, are to be accounted *English*, and no others; by which not only *Scots-men* residing in *Scotland* are excluded, but several Ships have been seiz'd, because some of the Owners, tho' Residenters in *England*, have been *Scots-men*, and others have been seiz'd, because the Masters, tho' Residenters in *England*, were *Scots-men*.

By another Clause of that same Act, All Goods brought out of *Scotland*, or carried into it by Land, are ordered to pass and be carried through *Berwick or Carlisle*, and there to pay Custom according the Act of Tunnage and Poundage: And by the last Clause of that Act, an Half-penny per Gallon is impos'd on all Salt imported from *Scotland*.

In the Act of the 15th. of *Car. II.* for the Encouragment of Trade, it is enacted, That after the 25th. day of *March 1664*, no Commodity of the Growth, Production, or Manufacture of *Europe* shall be imported into any Land, Island, Plantation Colony, Territory, or Place to his Majesty belonging, &c. but what shall be laden bona fide in *England, Wales*, or *Berwick upon Tweed*, in *English* built Shipping; by which Clause the Priviledge allow'd the *Scots*, by the Act of Navigation, to import Provisions into the *English* Plantations by their own Shipping, was taken away.

And by another Clause of that same Act, there is a Penalty impos'd upon such *Scots Cattel*, as are imported after the 24th. day of *August*, and before the 20th. Day of *December*.

By the 18th. *Car. II. cap. 5.* Ten Shillings per Barrel is laid upon *Scots Beer* imported, as if they had been Foreigners.

The importation of any Commodities from the *West-Indies* into *Scotland* by Vessels from the Plantations, is also prohibited by the Act for Regulating the Plantation Trade of the 22 and 23 of *Car. II.* and by the Act for the better securing the Plantation Trade, of the 25th. of the same Reign.

These were the Restraints laid upon the Trade of *Scotland* in the Reign of King *Charles II.* And we find, that when a Treaty was set on foot in that Prince's time for an Union betwixt the two Nations, the Commissioners for *Scotland* complain'd of these Restraints, and particularly, that there was an Impost of 16 s. 8 d. laid upon each Wey of Salt brought from *Scotland*, which was 16 times more than the Impost upon Foreign Goods of the like sort.

They desir'd likewise, that the Clause obliging that all Goods and Wares that shall be brought out of *Scotland*, or carried into it, should pass through *Berwick or Carlisle*, might be explain'd. And they complain'd of unusual Customs impos'd in *Northumberland* and *Cumberland*, as, 3 l. 6 s. 8 d. for every Stone-Horse carried into *Scotland*, 1 l. for every Gelding, 6 l. 6 s. 8 d. for every Mare, 5 s. 4 d. for every

every Quarter of Wheat carried by Land, 5 s. 4 d. for every Quarter of Rye, 4 s. for every Quarter of Pease, 2 s. 8 d. for every Quarter of Big and Barley, and 1 s. 4 d. upon every Quarter of Oats, on pretence of the Acts of the 13th. and 15th of King *Charles II.*'s Reign : And, without Colour of Law, new Imposts were laid upon *Northumberland* Coal carried into *Scotland*, and unusual Customs upon ordinary Market Commodities brought every Market-day into *Berwick*.

They complain'd of the Act of Navigation as the greatest Obstruction of their Trade, of the Imposition on their Cattel from *Aug. 29.* to *Dec. 20.* by the 13th. *Car. 2. cap. 7.* and of what by that Act might be interpreted to concern the Subjects of *Scotland* as to their Importation of fresh and salted, or dried Fish ; which last Clause depends in part upon the Act of Navigation. And they complain'd part of the Act of 14. *Car. 2. cap. 7.* which forbids the carrying of Hides tann'd or untann'd into *Scotland*.

The *Scots* Commissioners likewise desir'd, that when Foreigners or Places beyond the Seas are mention'd in any Act, it might be declar'd that His Majesty's Subjects of *Scotland*, nor his Kingdom of *Scotland*, are not meant, nor cannot be so understood.

But that Treaty took no Effect, nor could the *Scots* obtain the Removal of the Obstruction of that Freedom of Trade which they had so long enjoy'd, because they could not consent to the Uniting of the two Kingdoms into one Monarchy, and to the reducing of both Parliaments unto one, which their greatest Lawyers advis'd them would be destructive to the fundamental Government of the Kingdom, and take away their Parliaments, which the Parliament it self could not do.

We come now to the Reign of King *William* ; wherein the *Scots* complain they suffered more in their Trade, than in all the other Reigns since the Union of the Crowns. This was made the more bitter and unsupportable to them, because they had cheerfully concurr'd with *England* in the Revolution, and settl'd their Crown in the same manner as *England* did, without any previous Conditions, when it was in their power to have done otherwise, and to have obtain'd what Terms from the late K. *James* and the *French* King, they had pleas'd : But they were so far from doing any thing of that Nature, that they gave all imaginable Proofs of their amicable Inclinations towards *England* ; and their Convention nam'd Commissioners to treat of an Union with them, to which the Parliament of *England* never return'd any Answer all that Reign, tho' the King several times put them in mind of it.

The *Scots*, some Years after the Revolution, being in hopes that all their Struggles with the Court of *England* for Maintenance of their Religion and Liberty, were at an End, began to think of advancing their Trade, as all the other Nations about them had done, whilst they had no Opportunity of doing so, because of those unhappy Struggles above mention'd. And being sensible, that they had set out much too late, they endeavour'd to make it up by a more vigorous and noble Effort than any Nation in *Europe* had ever made in a first Undertaking of that nature.

To this end, in *June 1695*, they obtain'd an Act for establishing a Company trading to *Africa* and the *Indies*, with such Immunities as had been granted to Companies of the like sort, by other Nations about them ; and were so far from any Thoughts of Wronging the Kingdom of *England*, that they cheerfully propos'd

to take in *English* Subjects, as Subscribers for half the Stock, so that half the Profit might have accrued to *England*, had they thought fit: But by the Influence of some self-interested Persons, this Act, and the Consequences of it, was so far misrepresented to the Parliament of *England*, that both Houses made an Address to the King against the Act it self; and his Majesty, in his Answer, reflected upon his Ministry in *Scotland*, as if they had serv'd him ill by suffering that Act to pass, and said, *He hop'd some Remedy might be found to prevent the inconveniencies which might arise from it.* Immediately a stop was put to all Subscriptions in *England*, several *Scotsmen*, Inhabitants of *London*, were question'd before the Parliament upon that Account, and a Prosecution was order'd against them or any *Englishmen* that should subscribe.

The *Scots* complain, That it was a direct Invasion of their Independency, to question their King for an Act pass'd in his Parliament of *Scotland*, and that those Proceedings of the *English*, invaded the Priviledges the *Scots* were intitled to by the Common Law of *England*, as the King's natural born Subjects; and were contrary to that amicable Agreement concluded betwixt the Commissioners of both Nations in 1604, by which the Subjects of either Nation might be Members in Merchant Companies of the other; which tho' not ratified by Parliament, was agreeable to the Common Law of *England*, which according to the Opinion of the Judges before mention'd, intitled all those born under the same Allegiance, tho' in different Countries, and under different Laws, to the common Priviledge of natural born Subjects.

But those Complaints of the *Scots* were so far from being regard, that the King order'd his *English* Resident at *Hamburg*, in April 1697, to give in a Memorial to that Senate against allowing their Subjects to subscribe to the *Scots* Company, disowning, that the Commissioners of that Company had any Authority from him, and threatening the *Hamburgers*, if they proceeded to subscribe. The *Hamburgers* testified their Amiazment at this, that his Majesty should offer to hinder them, who were a free People, to Trade with his Subjects of *Scotland*, to whom he had so lately given sufficient Authority for what they did, by a solemn Act of Parliament, but would proceed no farther than bare Subscription, except the *Scots* Company could get that Restraint taken off.

That Company did, in order to this, Address the King in June 1697, set forth their Authority by Act of Parliament, his own Letters Patent, and the Law of Nations, and desired, that the *Hamburgers* and others might be secured from the Threats of the abovemention'd Memorial. His Majesty gave no Answer till August following, and then he promised to forbid his Envoies to make use of his Name or Authority against the *Scots* Company at *Hamburg*, but this was never done, tho' the Company press'd it again and again.

In July 1698, the Company address'd the Parliament of *Scotland*, by whose Authority they were established, to interpose for a Redress of their Grievances. In this Address they took Notice, that they had made the first Offer of sharing their Priviledges with their Neighbours in *England*, who in nine Days subscribed 300000*l.* as the one half of the Capital Stock; but the Parliament of *England* taking Umbrage at those Proceedings, not only address'd His Majesty to frustrate the Ends of the Acts which establish'd the Company, but the Houte of Commons appointed a Committee to examine what Methods were taken for obtaining those Acts. They took Notice also, that the *Hamburgers* had subscrib'd 200000*l.* Ster.

ling, but were deterr'd from paying it by the Threats above mention'd, which His Majesty had promis'd to take off, but had not done it. And of these things they pray'd a Redress.

In order to this, the Parliament address'd the King, *Aug. 5. 1698.* set forth the Concern of the whole Nation in the Matter, and requested His Majesty to vindicate the Priviledges of the Company granted to them by their Authority, from the above mention'd Memorial, &c. But without any effect.

On the 16th of that same Month, the Company again address'd the King, and put him in Mind of the Parliament's Address, and of his Promise concerning the *Hamburg* Memorial; and pray'd, that in consideration of their Damage, he would be pleas'd to grant them two small *Scots* Frigats that lay by useles in *Burnt-Island* Harbour; but without Effect.

On the 4th of *October* 1698, they had notice from their Agent at *Hamburg*, that the *English* Resident told him, on his Honour, he had never receiv'd any Orders from the King, since the above nam'd Memorial, about the Company; and, that the *English* in that City told him, that the Company would never be redress'd in that Matter.

On the 18th they had another Letter from their Agent that Mr. *Cresset* told him, He had then receiv'd no Orders about the Memorial, and that if the said Memorial were yet to be given in, he believ'd it would be done.

On the 29th of *November*, the Company wrote to the Lord *Seafield* Secretary of State, an Account of this, and acquainted him with their Surprize at it, considering the repeated Assurances given them by Letters, Word of Mouth, and in Parliament, that the King had already giv'n Orders to his Minister at *Hamburg* about that Memorial.

His Lordship answer'd on the 13th of *December*, that he would take the first convenient Opportunity to represent the Matter to the King, but could not as yet expect it, *His Majesty being so much employ'd in the Affairs of his English Parliament.*

On the 13th of *Jan.* 1699, the Company remind'd his Lordship of the Matter; and on the 7th of *Feb.* his Lordship answer'd, that he had present'd their Petition to the King, who commanded him to let them know, that his Majesty had an Account that the Company's Ships were arriv'd on the Coast of *America*, and the particular Design not being communicated to his Majesty, he delay'd his Answer till he had certain Information of their Settlement.

On the 31st of *March* the Company gave His Majesty an Account of their Colony's Arrival and Settlement at *Darien*; and on the 1st of *April* wrote to the Lord *Carmichael*, the other Secretary of State, about it: They gave his Lordship an Account of the Designs the *French* had to have settled in *Darien*, mov'd him to put the King in mind of their former Petition, and to acquaint His Majesty, That Captain *Long*, of the *Rupert* Prize, who went a Fishing for Wrecks, traduc'd their Undertaking and Colony to the Natives and others, had endeavour'd to seduce their Men, and carried off one of their chief Carpenters.

On the 3d of *May* 1699, the *Spanish* Ambassador deliver'd a Memorial to the King against the *Scots* Settlement at *Darien*: And in that same Month the Lord President of the Session of *Scotland*, and the Lord Advocate, gave in three Memorials to the King, asserting the Legality of their Settlement in *Darien*. In the middle

dle of *September* an Address was presented to His Majesty from the Council of *Caledonia* or *Darien*, giving an Account of their Settlement there, where no Prince or State in *Europe* had any thing in Possession or Pretension; that they found the *Indians* on all sides in open War with the *Spaniards*, against whom they pray'd their Assistance, which they would by no Means comply with, because of the present Peace betwixt His Majesty and *Spain*: Notwithstanding which, they found the *Spaniards* were preparing to make War upon them, contrary to all Justice and Humanity, as well as to Treaties of Peace, and refus'd to deliver up the Persons and Goods sav'd out of one of their Ships which sprung a Leak, and run ashore near *Carthagena*.

But instead of any Redress of those Grievances, Proclamations were publish'd against their Colony, in *Jamaica*, *Barbados*, and *New-England*, before ever any Complaint was made to Court against that Settlement by the *Spaniards*, before the *Scots* were heard what they could say in their own Defence, and at the same time when the Lord President and Lord Advocate were sent for from *Scotland* to hear what they could say in Justification of their Colony; as appears by the Dates of these Proclamations.

The first was at *Jamaica* by Sir *William Beefton*, importing that his Majesty had signify'd to him, by Mr. Secretary *Vernon*, that the *Scots* Settlement at *Darien* was contrary to the Peace with his Majesty's Allies; and therefore in his Majesty's Name, he forbid any of his Majesty's Subjects to correspond with the said *Scots*, or to assist them with Arms, Ammunition, Provisions, or any other Necessaries, either by themselves or others, or by any of their own Vessels or of the *English* Nation. Dated *April 8 1699*.

A Proclamation much of the same Nature was issued at *Barbadoes* on the 13th of that same Month, one at *New-York* on the 15th of *May* following, and another at *Boston* in *New-England* on the 3d of *June*.

By this it's plain, that Orders must have been sent from Court for those Proclamations as soon as ever they had notice of the Arrival of the *Scots* at *Darien*, which the *Scots* say was in *January 1699*; and the Proclamation at *Jamaica* came out in the Beginning of *April* following. This gave the *Scots* occasion to complain, that the Court had acted unfairly with them; and so much the more, that a second Proclamation of the same Nature with the former, was publish'd in *Barbadoes* on the 5th of *September*, tho' the Lord President and Advocate of *Scotland* had given in Memorials to justify their Settlement in *May*, which was about four Months before.

The Company petition'd His Majesty on the 19th. of *October 1699*, setting forth the Legality of their Settlement in the precise Terms of the Act of Parliament, and His Majesty's Patent, upon the Faith and Encouragement of which, they had entered into a Society, erected a Company of Trade, and with much Charge, and after great Difficulty, had settled a Plantation on the North-side of *Darien*. They took notice of their own, and of the Parliaments former Petition to His Majesty for Vindicating the Rights and Priviledges of the Company: Notwithstanding which, the Proclamations before mention'd had been issued against their Colony; and therefore pray'd the Effect of them might be taken off, and that their Colony might be supplied in the common and ordinary way of Commerce from the *English*

Plantations, and that the Parliament of *Scotland* might be allowed to meet in *November* next, that His Majesty might have their Advice in such a weighty and general Concern.

At the same time the Company petition'd the Privy Council of *Scotland* to do them all the good Offices they could with His Majesty, and to acquaint him how much the Honour and Interest of the Nation was concern'd in it. In this Address they took notice, That as no Nation in *Europe* ever began such a Settlement with so considerable a Strength of Men, Ships, and other Necessaries; so no Instance could be given of any Settlement heretofore made, that had so hopeful an Aspect in so short a time: But to the inestimable Loss of the Nation, their Colony had deserted the Settlement by reason of the Proclamations abovemention'd, which made them desperate, especially since none of the Company's Advices came to their hands tho' they had writ to them several times by way of *Jamaica, Barbadoes, Antegoa, New-England*, and sent them an unlimited Credit for buying Provisions till their own Ships could come up. They added, That they had taken such farther Measures as they thought reasonable upon that unexpected Emergent; but fear'd all would prove uneffectual, if the King and Parliament did not encourage and protect their Company and Colony.

His Majesty answered on the 2d of *November*, that he was sorry for the Company's Loss; that he would take care of the Trade of the Kingdom; that they should have the same freedom of Commerce with the *English* Plantations as formerly —; that the Parliament was adjourn'd to the 5th of *March*, and he would order it to meet when he judg'd the good of the Nation requir'd it.

The Company finding all their former Applications to be without Effect, sent another Address to His Majesty by my Lord *Basil Hamilton*, dated *Dec. 4 1699*, wherein they take notice of their former Addresses, put his Majesty in mind of his being oblig'd, by a Clause of the Act which establish'd their Company, to interpose his Royal Authority for Reparation of Injuries done them by any Foreign Potentates contrary to Treaty; and acquainted his Majesty, that contrair to the Treaty betwixt *Great Britain* and *Spain*, at *Madrid July 3. 1670*, a Ship of theirs being forc'd ashore near *Carthagena* to avoid Shipwreck, the *Spaniards* detain'd the Ship and Goods, and made the Men close Prisoners; and tho' they were demanded by the Colony, who sent a Letter to the Governor of *Carthagena*, with Copies of the Act of Parliament, and His Majesty's Patent in *Latin* and *Spanish*, the said Governour threatned to put the Messenger in Chains, and would not let him see the Prisoners, whom he treated barbarously, tho' some of 'em Gentlemen of good Quality; and related to the best Families of the Kingdom: Therefore the Company petition'd that His Majesty would according to the Act, interpose his Authority for Redress of their Damages, and Relief of their Prisoners.

This Address was accompanied by Letters to both the Secretaries, desiring them to introduce Lord *Basil* to the King, and to use their endeavours to procure a gracious Answer, especially as to the Prisoners, whose Relations importun'd them daily.

On the 9th of *January 1700*, the Lord Chancellor acquainted the Company, that he had Advice from the Secretaries, that the King would not see Lord *Basil*, because he had not waited upon His Majesty when formerly at *London*, nor hitherto acknowledg'd his Government; but would receive the Petition and his Instructi-

ons if he would leave them with the Secretaries, and then give an Answer to the Company.

That same Day the Company replied to the Secretaries, That they had sent Lord *Basil* because he was throughly vers'd in their Affairs, and knew of nothing he had ever done against the Government, nor was he objected against by the Privy Counsellors, who were Privy to his Commission; and therefore desir'd that mistake might be remov'd, and his Lordship admitted, else the World would believe that, whatever was pretended, the true cause of his being denied Access was his bringing an Address from the Company: And they signified as much in a Letter of the same Date to Lord *Basil*.

On the 10th the King wrote a Letter to the Council, with the same Reasons for not admitting Lord *Basil*; but that Lord having left his Petition and Instructions with the Secretaries, His Majesty would demand their Prisoners from the King of *Spain*, and would allow the Company the same Trade that others had with the *English* Plantations, but would not grant them the Figgats till he had the Advice of Parliament.

By this time the whole Kingdom grew very uneasie, and a National Address was set on foot to petition for the Sitting of the Parliament; but the King forbid this Address by Proclamation dated the 18th of *December*, alledging, That the Answer already given to the Company's Petition, ought to have satisfied all good Subjects, and that this Address was carried on in a Manner disrespectful to the Government, and promoted by some who had giv'n no Evidence of their Affection to it; and endeavour'd to lodge the Misfortune of the Company on the *West-India* Proclamations, tho' they were sensible that it proceeded from other Causes.

On the 18th of *January* the Parliament which was adjourn'd from *November* to the 5th, of *March*, was farther adjourn'd to the 14th of *May* following.

In the mean time the *English* House of Lords presented an Address to the King of the 12th of *February* 1700, against the *Scots* Settlement at *Darien*, as prejudicial to *England*, and tending to disturb their peace with *Spain*; and that they judg'd the farther Prosecution of that design by the *Scots*, must end in greater Disappointments to themselves, and prove Inconvenient to the Trade and quiet of *England*. They put him in mind of the Address of both Houses in *December* 1695, as the unanimous Sense of the Kingdom against any Settlement the *Scots* might make in the *West-Indies*; adding, That the Proclamations against the *Scots* there, were agreeable to that Address; and, that it was the Resolution of the House, that the Settlement of the *Scots* at *Darien* was inconsistent with the Good of the Plantation Trade of *England*.

This Address, the *Scots* say, was carried only by 4 or 5 Votes, and by the Interest of the Court; and that 16 Lords Protested against it.

The King, in his Answer to this Address, call'd it a very dutiful one, told the Lords he would always have a great regard to their Opinion, that he would never be wanting to promote the Good of the Trade of *England*; and took occasion to commend an Union for avoiding such Difficulties in time to come. The Lords accordingly pass'd a Bill of Union, but the Commons rejected it; and sharp Speeches were made in their House about the Treatment the *Scots* met with.

The National Address for the meeting of the Parliament went on however in *Scotland*, and was presented to his Majesty at *Kensington*, *March* 25th 1700, by

the Marquis of Tweeddale, Sir John Home Baronet, John Haldan of Gleneagies, and Patrick Murray of Livingston, Barons, who were sent up with it by the Country. The Address took notice of the hard Circumstances of the Company both at home and abroad, which was a thing of Universal Concern to the whole Nation; and since the Parliament had a peculiar Interest in the Concerns of the said Company, nothing could more conduce to support the Company under their present Misfortunes, than a Meeting of the Parliament, which they pray'd His Majesty might be as soon as possible. One of the Commissioners when the Address was presented, signified to the King, that he hop'd His Majesty would look upon the Address not only as a Petition for the meeting of the Parliament, but as a Testimony of the Nation's Concern for the Indian and African Company: To which the King answer'd, That would be best known in Parliament, which could not meet before the 14th. of May.

On that Day the Parliament of Scotland met, and on the 16th the Company presented an Address to them, wherein they recounted all the Oppositions and Misfortunes they had met with, as before related, and particularly the Addresses and Proceedings of the Parliament of England in Dec. 1695, the Hamburg Memorial, and Threats against the Dutch, if they countenanc'd the Scots Company: They took notice of their having notwithstanding all this, settled a Colony according to the precise Terms of the Act of Parliament and King's Patent, at *Darien*; which they said was one of the most healthful, fruitful, and naturally impregnable, and every way valuable places in *America*, so that it had raised the Jealousy and Envy of the most knowing and considerable trading Nations in *Europe*, adding, that while they were big with Hopes of riveting that Settlement upon a lasting Foundation, they were obstructed by Proclamations of a strange Nature: They took Notice of his Majesty's Charge against them, for not having communicated that Design to them tho' it was never demanded by King, Parliament, Privy Council, or Ministers of State; they added, that as soon as they had Notice of that Settlement, they gave His Majesty a very dutiful Account of it, and of the Designs of the *French* on the same place; and how important that Settlement might prove to the Interest and Security of all his Majesty's Dominions. They took Notice, that the Lord President and Lord Advocate had been sent for by his Majesty, that with the two Secretaries they might confer with the *English* Ministry about the Legality of that Settlement, which as they understood, was then made clear beyond all Dispute; and while they were pawning their particular Credits for sending needful Supplies to the said Colony, they were surpriz'd by Proclamations issued against them in the *West-Indies* by Orders from Court in *Jan.* 1699; being such as were never before publish'd in those Parts against any other People, and so barbarous, as they thought no good Christians would put in Execution ev'n against Infidels. By this means their Colony was denyed all Help from *Jamaica*, either for Goods or Money; and looking upon themselves to be declar'd Pirates, without any previous Summons or Hearing, contrary to the Custom of all Nations even in the Case of real Piracy, they were in such a Consternation, that they left the Settlement on the 20th of *June* last; by which means, not only the Ships, Men, and Goods, which were there at that time were expos'd to the Arbitrary Will of those to whom the Execution of the Proclamations were given in Charge, but all the subsequent Measures of the Company brought into Disorder: And tho' they Address'd his Majesty again and again to take off the Force of those Proclamations, it was so far from being

ing granted, that a second Fléece of Proclamations, of the same Nature, was publish'd on *September 5* in *Barbadoes*, by means of which, their Ships were denied Wood and Water at *Monferat*, and Anchoring at *St. Christophers*; neither of which were ever denied any other Nation: And the Governour of *Jamaica* would not let the Companies Ship the *St. Andrew* go to Sea from thence, without a special Order from *England*. They concluded with an Account, that the most considerable of their Prisoners taken at *Carthagena*, were transported to old *Spain*, where they were still kept close Prisoners, barbarously us'd, and condemn'd to die; and, that tho' their People had repossest *Darien*, unless they were countenanc'd and protected by King and Parliament, all their Endeavours must prove abortive, to the irreparable loss of the Company; and the indelible reproach of the Nation. They gave a peculiar Account of all the Instances and Addresses they had made to the Government without effect, and therefore pray'd the Parliament to protect them in their lawful Priviledges as a Company, and as Subjects of a Free and independent Kingdom, and to take such Measures as they judg'd most effectual to repair their Losses.

This Address was seconded by others of the same Import from many Counties and Burroughs; and the Parliament taking the same into Consideration, a Motion was made for a Resolve, *That the Settlement at Darien was legal and rightful in the Terms of the Act of Parliament 1695, and that the Parliament would maintain and support the same.* Upon which the Duke of *Queensberry* adjourn'd the Parliament for 20 Days; and that Evening the Majority of the Members agreed and sign'd an Address to the King, importing that the Subscribers were Members of the same Parliament that settl'd the Crown on his Majesty, and had ever since continued zealous and affectionat to his service, yet to their unspeakable Grief, his Majesty had given no return to the unanimous Address of the House last Session, about the Grievances of their *Indian and African* Company; and when in this Session a Motion was made for a Resolve to assert the Legality of their Settlement in *Darien*, and the House began to reason upon it, they were adjourn'd, contrary to the 4th Act of the 11th Parliament of King *James VI*, and were afterwards, by another Adjournment, hinder'd from coming to any Resolution in the pressing concerns of the Nation, contrary to the Claim of Right; therefore they pray'd, that the Parliament might be allowed to meet at the day to which it was now adjourn'd, and to sit for redressing the Grievances of the Nation, and asserting their Right to their Colony of *Caledonia*.

This Address was presented to the King on the 11th of *June 1700*, by the Lord *Rofs* for the Nobility, *Pringle of Torwoodly*, and *Bennet* younger of *Grubbet* for the Barons, and *Murray of Dollary* for the Burroughs; to which his Majesty answered, *That he could give them no Answer now, but they should know his Intentions in Scotland.*

This slighting Answer occasion'd another National Address, wherein the Subscribers took notice of the former Address by the Parliament and Nation, and of the illegal Adjournments abovemention'd: They represented the indispenible Necessity of asserting the Freedom and Independency of the Kingdom, and their Title to *Caledonia*; that the good Inclinations of their Kings should be preserved from foreign Influence, and the pernicious Counsels of unnatural Countrymen; that the Frequency and sitting of Parliaments should be ascertain'd and secur'd, and Influences
upon

upon their Freedom, by Gratuities, Pensions, or Farms of any Branch of the Revenue, &c. should be prevented; That the Publick Credit should be restor'd, and the Application of the Funds appropriated by Parliament, enquir'd into; That a well regulated National Force should be settled instead of a standing Army; That the Subjects should be secur'd against arbitrary and long Imprisonments; That the Trade of the Nation should be encourag'd and regulated, and the Company assist'd in prosecuting their lawful Undertakings; and, That such of the Grievances represented to his Majesty in the Claim of Right, as were not yet redress'd, might be redress'd in Parliament; and that his Majesty would allow it to meet as soon as possible for that End.

This Address was presented on the 16th. of November 1700, by the Lord Yester, Sir John Pringle of Stichel, and Sir Peter Wedderburn of Gosford. The King answered, That he could take no further Notice of the Address, since the Parliament was now met.

For the Reader must observe, that it was call'd to meet after those Commissioners came from Scotland, and sooner than they expected, considering how they had formerly been treated: But when the Parliament did meet, the Court was so far from redressing the Grievances of the Company, that the King positively declar'd he could not concur to assert the Right of Darien; and the Parliament was adjourn'd by the Duke of Queensberry, in the greatest Confusion that ever was known in Scotland, upon a Motion made in the House, to enquire into the Arrears of the Army, and the Application of the publick Funds since the Revolution.

These Matters of Fact being uncontrovertably true, as can be made appear from the Records of Parliament, and the Books of the Scots Company; its submitted to the Judgement of every thinking Englishman, Whether the Scots have not reason to insist upon such Terms of Government as may secure 'em from the like Treatment, before they settle their Succession, since they were thus us'd by a Prince who came over on purpose to redress their Grievances, and accepted their Crown upon those Terms.

And as to the Settlement at Darien, no Body can say but the Scots had reason to take it ill, that it should have been represented by the late Court as inconsistent with the English Plantation Trade, when they had before hand acquainted the Court of what importance that Settlement might be to the Security and Interest of all his Majesty's Dominions, and at the same time that they had undoubted Information that the French had a Design upon the Place; and that nothing kept them from settling there, but an expectation of the whole Spanish Monarchy, which they are now actually possess'd of. The Scots think this ought to convince those People of their Mistake, who did so much oppose their Settlement there, especially when they offer'd the English an equal Share in their Company, and by Consequence of the Colony, which by this time would have put the Government of Great Britain in Possession of all the Bullion that enables the French King now to carry on the War against the Confederats.

CONCLUSION.

Having thus given a brief Historical Deduction of the Grievances of the Scots since the Union of the Crowns, there's no Ground for so mean an Opinion of the

the Justice of Her Majesty and the *English* Nation, as to think they'll make War upon *Scotland* for demurring on the Succession, until they be secur'd by such Terms of Government as may prevent the like in time to come.

We have had Proof enough of her Majesty's gracious Intentions on that Head already: Her Letter to the Parliament of *Scotland* last Year, and her Royal assent to the Act of Security, are such earnestts of it, that no true *Scotsman* will presume to call it in question: And since the Parliament of *England* have also provisionally agreed to a Treaty, we have as little Reason to doubt their Justice, when the Matter is fairly laid before 'em.

But for the sake of the Reducers, who will hear of no Determination but by the Sword; we shall conclude with some few more Considerations. And,

1. It's but just to hear what the *Scots* can say for their not complying with Her Majesty's gracious Proposals last Year: for perhaps, upon a nice enquiry, it may be found, that the Miscarriage is not altogether chargeable upon the *Scots*, but that there was a proportionable Share of *English* Mismanagement in it.

2. That the *Reducing of Scotland*, has been twice attempted since the Union of the Crowns, by two very different Parties, and issued in reducing them both to nothing: The first was the High-Church Party, who arm'd King *Charles I.* against his Native Country, both with the Spiritual and temporal Sword. They first Excommunicated the *Scots* in all the Churches in *England*, then march'd against 'em with one Army commanded by the King in Person, and with another commanded by the Earl of *Strafford*. The *Scots* resisted the King, and brought his Majesty to Terms; and after they had oblig'd *Strafford* to a Retreat, they pursued 'em to Death in the Parliament of *England*, his Lordship and Archbishop *Laud*, the chief Promoters of the *Holy Wars*; and by joining that Parliament, which was equally disgusted with High-Church, they soon brought her low enough.

Oliver and his Party came next to reduce the *Scots*, because, according to standing Laws, and National Oaths, they oppos'd the Imprisonment, Trial, and Murder of King *Charles I.* and Crown'd King *Charles II.* when *England* was subdued by the Usurper, and forc'd to abjure him. *Oliver* did indeed reduce the *Scots*, but not so much by the Force of his Arms, as by the Mismanagement of the Court, which was acted by the old arbitrary Counsels, and that not so secretly, but the *Scots* perceived it. This divided the Nation among themselves, and made them equally jealous of the King and the Usurper, so that they became as easie a Prey to the latter, as *England* had done before, tho' it was otherwise in the Power of the *Scots* to have swallowed up him and his Army, and so to have made an end at once of that treacherous *Machiavilian* and his Enthusiastical Tribe: But thanks to the High-Church-Historians, they have since confessed what we knew well enough before, that the Court was better pleas'd with the Defeat of the *Scots*, than they would have been with their Victory; so that the Court had their Humour tho' they paid for't. Well, *Scotland* was reduc'd, their Troops taken in the Field, transported to *America*, and their Country overaw'd by Garrisons, and a standing Army. But mark the Event: The Anarchical Crew, who had thus reduc'd *Scotland*, was soon after blown off the Stage by the Intreagues of the *Scots*, who encouraged General *Monk* and his standing Army, to undertake the Restoration. And thus the *Scots* were once more even with their *English* Reducers, and brought the chief of them to the Gallows, as they had formerly brought *Strafford* and *Laud* to the Block.

There's

There's another, and a later, Instance of the Influence of the *Scots* upon the *English* Succession; and that too, after a Bill of Exclusion. 'Tis known, that the Duke of *York* and his Party was very much run down in *England*, when his Brother King *Charles II.* set him at the Head of the Administration in *Scotland*: and 'tis as well known, that the Countenance shew'd him in that Kingdom, and the securing his Succession to the Crown by Act of Parliament, was the principal thing that turn'd the Scales upon the Party who oppos'd him in *England*, and pay'd his Way at last to the Throne of *Great Britain*.

The Inference from all this, is natural and easie to any Man of Thought. Those Gentlemen who talk of reducing *Scotland*, ought first to make sure of Peace abroad, and of reducing the Parties who at present contend against one another in *England* with so much Violence, to a good Understanding, otherwise, whatever Party attempts to reduce the *Scots*, may run a very great Risque of being reduc'd themselves. A Nation of some hundred Thousands of fighting Men has weight enough to turn the Ballance, which ever Side they take: And since both the High *English* Tory, and the High *English* Whig have tryed it to their Cost, it would seem to be the height of Folly in either of them to make another Experiment, lest in pursuing an unjust Quarrel against the *Scots*, they meet their own Ruin.

3 The State of *England*, with relation to Foreigners, ought also to be consider'd by those who talk of a War at home: *France* is not yet reduc'd; and that Crown which has stir'd up revolts in *Poland*, *Hungary*, and the Empire, will think it as much their Interest to incense and support the aggrieved *Scots*, in order to perswade them to accept the Pretender for their King. By this means they would not only ease themselves of a great, and hitherto fruitless Charge, but might be in hopes of some Reimbursement; for they know very well, that if he were once entertain'd in *Scotland*, a great many People would use their Endeavours to have him made as welcome in *England*, otherwise there's a great deal of unjust Clamour rais'd against the Tackers and High-Church, by a certain Party, from whom the *Scots* think their Nation has deserv'd a more Friendly Treatment.

But the Reducers object, The *Scots* had as good be Slaves to us, as to *France*, for that's not the way to secure their Religion, Liberty, or Trade. To this it's answer'd, That the *Scots* don't love to be Slaves to either. If they call in the *French*, they must be forc'd to it by absolute necessity, to free themselves from the Slavery of such Men as the Reducers in *England*: And if the *French* Auxiliaries grow too insolent with their Power, as 'tis natural for 'em to do, the *Scots* know how to call for the *English* in their Turn, to help to expel the *French*. This they practis'd in the Reign of *Henry VIII.* and Queen *Elizabeth*. In the Reign of the former, they call'd in the *French* to their Assistance; and in the time of the latter, they desir'd her Help to expel 'em, which she readily granted: For tho' the *English* were angry at the *Scots* for calling the *French* in, they were very well pleas'd to assist in driving them out. Nor is it to be suppos'd, that the most sullen of our Reducers would refuse their Concurrence in such a Case, since they know that the *French* can much sooner pass *Tweed* than the *British* Channel. Therefore it's much the safer way to comply with the just Demands of the *Scots*, than to force them to such a fatal Necessity to bring in the *French*; for they may have what Terms from them they please on such a Condition, besides a Chance for having them continued, by threatenng otherways to join with *England*: Whereas the Reducers will hear of nothing but

an immediate Conquest and Subjection of *Scotland*, and puts as much Confidence in their superior Force by Land, and their mighty Fleets by Sea, as if that God were not still in being, who made Gideon's three hundred, defeat the innumerable Host of Midian, made the Stars in their Courses to fight against Sisera, and broke the Ships of Tarshish; or, as if there were no instances in History, that *English* Fleets have suffered by Tempests, and their numerous Armies have been overthrown by the *Scots* when the like unjust Attempts have been made upon that Nation.

4. The Reducers ought also to consider the State of *Ireland*: They can't suppose the Papists, who are by the far most numerous in that Kingdom, are fond of a Protestant Successor; nor have they Reason to think that the *Scots* in *Ulster* are so much oblig'd by the late imposition of the Sacramental Test upon 'em, as to fight against their Brethren in *Scotland* to force them to admit the *English* Successor without previous Conditions, to prevent their having the said Test thrust also down their Throats. Then if the *French* and *Spaniards* should likewise make a Diversion in *Ireland*, in order to bring the War on this side the Sea; would not our Reducers have full Employment?

Besides, What will they do with the *Scots* in their Armies and Fleets? To retain them, in that Case, will be dangerous; to cashier them, will be to send the *Scots* so many experienc'd Officers and disciplin'd Men: And such of 'em as have Estates and Honours in *Scotland*, must either go home, or forfeit them. These, with the other *Scots* Troops on the *Dutch* Establishment, and the disbanded Officers they have now at home training their Men, would make the *Scots* no such contemptible Enemy as the Reducers seem to fancy: For whether those Gentlemen will own it or not, it's well enough known how much the Conduct and Courage of the *Scots* contributed to the immortal Victory of *Blenheim*, and to the adorning of *Westminster-Hall* with the glorious Trophies that now hang there; and it's not to doubted but they will fight with as much Courage in their own Cause, as they did in the Cause of others.

It may also deserve the Thoughts of the Reducers, that 'tis not the Loss of Soldiers and Seamen only, that *England* must sustain by such a War; there are many Thousands of other *Scots* that live in *England*, and the Dominions thereunto belonging, who advance a Trade and Consumption that subsists many Thousands of *English*, who must certainly suffer by the Return of so many *Scots* as must be necessarily occasioned by such a Rupture: Nor will it be a very pleasant Reflection for abundance of good People in *England*, to consider how many of their Friends and Relations by Marriage, &c. must suffer by such an unnatural War.

But farther, If the Reducers be men capable of thinking, they must propose some End by this Reduction, and that must be either to *Unite* or *Exterminate* the *Scots*: If it be *Union*, there's an easier way to that, without any risque of Blood or Treasure; for the *Scots* by their very Act of Security so much exclaim'd against, seem inclinable enough to come into the same Succession with *England*, and by consequence into such an Union as will answer all the Ends of a perpetual Alliance for supporting the common Government and Interest of the Island, provided they may be secur'd against all hurtful Influence upon their Religion, Liberty, and Trade, by allowing them their own Constitution, and by restoring them the same Freedom of Commerce they enjoy'd before the Act of Navigation.

But if *Extermination*, or, which is much the same, *Subduing and annexing the Kingdom as a Province, and rooting up or levelling all the great Families*, be what the Reducers aim at, they ought to consider, that it will be very difficult to put their Project in Execution. *Edw. I.* had the same barbarous Design, and went far towards effecting it, by dividing the *Scots* among themselves by promising his Protection sometimes to one Faction and sometimes to another, and by cutting off the chief of the Nobility: but the *Scots* perceiving his Design, did, at last, tho' it was too late in all human Appearance, so recollect and unite their broken Strength, that by the Assistance of Heaven, which favour'd their just Cause, they not only defeated the *English* in several bloody Battels, but drove them quite out of *Scotland*, and laid *England* waste as far as *York*: By which the haughty Inscription upon *Edw. I.*'s Tomb, *Edwardus primus Scotorum Malleus hic est*, had this just Reply, *Edwardus filius Scotorum funditur armis*. And it's observable, that the *Scots* began their Deliverance by doing Justice on those Families that had betray'd their Liberties; of which the Ruins of the Families of the *Baliol*, *Cummin*, and *Monteith*, are lasting Monuments, and may serve as a Caveat to others who shall tread in their Steps.

Oliver, when he entertain'd the same Design of Reducing the *Scott*, follow'd the same Measures. He began with cutting off the Head of the chief Family of *Scotland*, *K. Charles I.* and follow'd his Blow by striking off the Head of the Duke of *Hamilton*, who was chief of the second Family of the Nation; but we all know the Event: The *Scots*, as has been already said, did, within a very few Years, find out a way to strike off the Head of the Anarchical Government which that Monster of Treachery and Confusion left behind him.

I shall conclude with offering a few Things more to the Consideration of the Reducers: And,

1. That Her Majesty's Piety and Justice, and Her Knowledge of what Her Royal Predecessors have suffer'd by Reducers of *Scotland*, is a very good Security to the *Scots* against such unjust Designs during Her Reign, and bless'd God the State of Her Majesty's Health is such, as gives us a hopeful Prospect that Her Reign may be long, and by consequence, that the Differences betwixt the Nations may be accommodated by Her Royal Wisdom and Care.

2. But if by any unhappy Accident, the Settlement of the *Scotch* Succession should be delayed till after Her Majesty's Death, the *Scots* are then at Liberty to chuse what Governour or Form of Government they please. They can be in no indispensible Necessity of hast'ning to fill their Throne, if they have but so much Unanimity as it's hop'd their former Mistakes of that sort, and the present Designs of their Enemies, must needs oblige them to. The Act of Security has made it High Treason to proclaim or declare any Successor in that Case without the Consent of the States; the Administration is taken Care of by the same Act, and those intrusted with it are oblig'd to take care to see that Law put in Execution against those who shall offer to contraveen it, by the setting up any Pretender whatever. And when the States do meet, which must be 20 Day at farthest after Her Majesty's Death, the Government falls naturally into their Hands, and they may easily find among themselves Persons capable of holding the Reins of it, and to Command their Troops if there be occasion, as well as they did at the late Revolution, until they consider what is fit to be done.

4. But if the Reducers have then Influence enough (as it's reasonable to think the will not) to bring an Army from *England* to force their Successor upon the *Scots* without granting them their just Demands ; it is not to be suppos'd, that neighbouring States and Nations, tho' it should happen to be in a time of Peace, will refuse their Assistance to the *Scots* upon due Application for it, since there's none of 'em but know what Danger may accrue to themselves by having a King of *England* absolute Master of three such Kingdoms, especially if he have at the same time considerable Dominions on the Continent.

5. The Reducers ought to consider, that the illustrious House of *Hanover*, which is to succeed to the Crown of *England*, have too much *Scots* Blood in their Veins, and understand the Errors of their Predecessors to that Crown, and their own Interest, and that of *Europe* too well, to be easily induc'd to force *Scotland* to that by a Conquest, which they may be sure of obtaining by the gentler Methods of granting them the Security they justly insist upon for their Religion, Liberty, and Trade. By this means that illustrious Family will find a Majority in *Scotland* as zealous for their Succession as the Reducers, or any others whatever. But if, by the violent Councils of any Party in *England*, *Scotland* should be huff'd, as *Spain* has been partition'd away, from the common Interest ; it may come at last to fall heavy upon whatever Party shall be the unhappy Instruments of such a fatal Division betwixt those two Nations. But, that God may avert this, and that *England* and *Scotland* may be truly united in Affection and Interest for ever, will certainly be the Prayer, as it ought to be the Endeavour, of all honest Men.

P O S T - S C R I P T .

HER Majesty having been graciously pleas'd to signify Her Royal Inclinations to do all that can be required on her part to secure the *Scots* as to their Religion and Liberty, provided they come into the *Hannover* Succession ; and That being wholly in Her Majesty's Power to grant, as Queen of *Scots*, without any Dependence upon the Government of *England* ; The Controversy betwixt the two Nations is reduced to this one Point : Whether the *Scots* shall be allow'd the same Freedom of Trade with *England* which they had before the Act of Navigation ? To this they plead a Right by the Common Law of *England*, as being Her Majesty's natural born Subjects, and in Compensation for the Loss of their Prince's Residence among them, and the Consequences of it ; for the Loss of the Benefit of their Alliance and Trade with *France* ; and for the constant Loss of their Money, which is spent in *England* by the necessary Attendance of their Nobility and Gentry at Court. Then since the Matter is so, those Gentlemen who talk of reducing the *Scots* by Arms, rather than to allow them this Privilege to which they seem to have so just a Claim, may talk as high as they please for the Protestant Religion, the Principles of the Revolution, and the *Hannover* Succession ; but the World will be apt to think that they value them all at a very low rate, to endanger them thus, by continuing to oppress the *Scots* for the sake of a few clamorous selfish Merchants and Tradesmen, whose Avarice all the Riches of the World is not able to satisfy, especially since it is very probable that *England* in general might be Gainers by such a Communication of Trade, considering the noble Fishery of *Scotland* that has hitherto

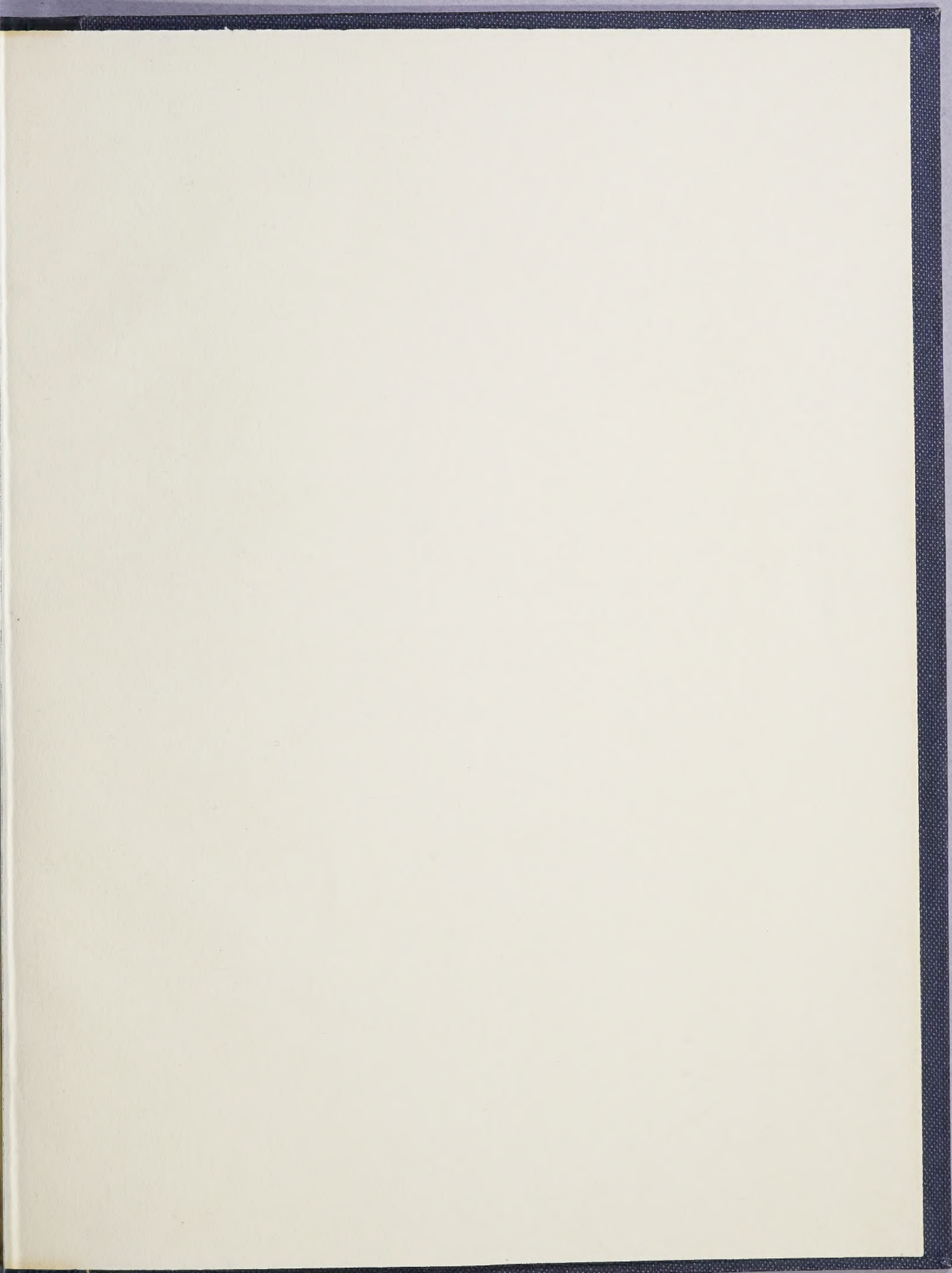
to lain neglected, because of the constant Discouragement that Kingdom has labour'd under, and of which *England*, as well as *Scotland*, might have ineftinable Profit, were that Fishing Trade brought under due Regulations, and encourag'd by such Laws as might easily be procur'd, did the People of both Nations but cordially engage in it. *England* might by this Means alone, soon be enabled, not only to make up what they have lost by the Decay of their *Greenland* and *Newfoundland* Fisheries, but be in a condition, together with the *Scots*, to ousvie all the other Fisheries of *Europe*, and have constant Fishing Fleets and Nurseries of Seamen, ready on all occasions upon their own Coasts, without being so much expos'd to the Danger of the Seas, to Captures by Enemies, or to such Want of Necessaries and to such Rigors of the Season, as they are often expos'd to in remote Fisheries.

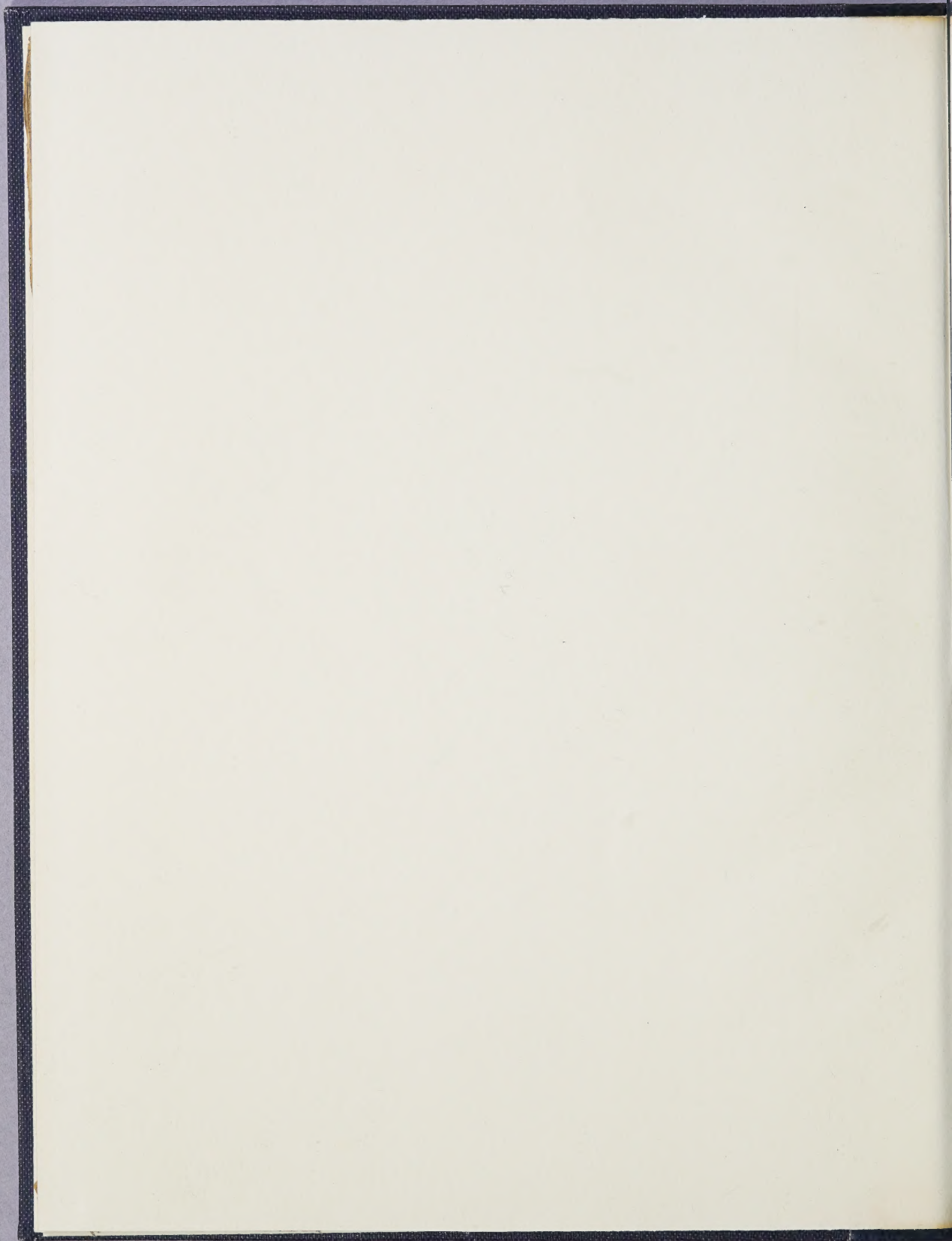
But if the Reducers, and Men of their Temper, be resolv'd so to engross the Favour and power of their Princes, as to make it impracticable for them to do for the Kingdom of *Scotland* what every Sovereign ought to do in behalf of their natural Subjects; no body can blame the *Scots* for refusing to come into the same Succession with *England*; For if it be undeniable, as *Themistius* has it in his Oration to *Valens*, that *Wise Princes are not only to have a Regard to that particular People committed to their Charge, but to all Mankind*; it is certainly as true, That wise and good Princes don't love to be confin'd in the Exercise of their Royal Goodness and Clemency to that People only among whom they have their ordinary Residence, but ought to be at Liberty to perform all the Duties of a Sovereign to their most remote Dominions and Subjects. I shall take my leave of this Subject, by putting the Reducers in mind of a wise Saying of *Grotius* in the *Prolegomena* to his Book *De Jure Belli & Pacis*; That those People who violate the Laws of Nature and Nations, undermine the Foundation of their own Peace, and that of their Posterity.

N. B. It was omitted in King *William's* Reign to take notice, That such an Impossibility was laid upon *Scots* Linnen, as amounted almost to a Prohibition of that Commodity; as may be seen by the 9th and 10th of *William III.* And that same Prince (by whose Advice God knows) not only discover'd the greatest Contempt that could be, of the Parliament of *Scotland*, in never Answering their Address to punish those concern'd in the barbarous Murder of *Glenco*, which fix'd an indelible Reproach upon the Justice of the Nation; but he also invaded the fundamental Constitution of the Country; by continuing one Parliament during his whole Reign, contrary to the ancient Laws of the Kingdom, and to the Claim of Right, on which he accepted the *Scottish* Crown.

F I N I S.

John Neepers Esq. to the Right Hon. the Lords of the Council





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